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People of the State of California

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 FOR THE COUNTY OF LOS ANGELES

20 PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. Edmund G. Brown Jr., as the
21 Attorney General of the State of California,
and *ex rel.* Rockard J. Delgadillo, as the
22 City Attorney for the City of Los Angeles,

23 Plaintiff,

24 vs.

25 SWAN BLOODS (aka Swans, Family Swan
Bloods, FSB, Madd Swan Bloods, MSB, Bird
26 Gang Bloods, BGB), FLORENCIA 13 (aka
Floresncia, F13, FX3, EFE, Florence), MAIN
27 STREET CRIPS (aka Main Street, MSC), and
7-TREY HUSTLERS/GANGSTER CRIPS (aka
28 7-Trey Hustlers, 73 Hustlers, 7-Trey Gangsters,
7-Trey Gangsta Crips, 7-Trey Gangstas), each a

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

JUN 12 2009

John A. Clarke, Executive Officer/Clerk
By SHAUNYA WESLEY Deputy

Case No.: **BC415694**
(Unlimited civil case)

COMPLAINT FOR INJUNCTIVE
RELIEF FOR VIOLATIONS OF
THE BANE CIVIL RIGHTS ACT AND
PUBLIC NUISANCE LAWS

Assigned for all purposes to the
Honorable John A. Kronstadt

1 criminal street gang sued as an unincorporated
2 association; and DOES 1 through 300, inclusive,

3 Defendants.
4

5 Plaintiff, the People of the State of California, acting by and through Edmund G. Brown Jr.,
6 Attorney General of the State of California, and Rockard J. Delgadillo, the City Attorney of Los
7 Angeles, is informed and believes, and based upon such information and belief, alleges:

8 **THE PARTIES**

9 **Plaintiff**

10 1. Plaintiff is the People of the State of California ("the People"), acting by and through
11 Edmund G. Brown Jr., Attorney General of the State of California, and Rockard J. Delgadillo, the City
12 Attorney of Los Angeles. The Attorney General is acting under the authority of the California
13 Constitution, article V, section 13, Government Code section 12512, Civil Code sections 52.1 and 3494,
14 and the Attorney General's common law powers to represent the People of the State of California. The
15 City Attorney of Los Angeles is acting under the authority of Code of Civil Procedure section 731 and
16 Civil Code section 3494 to represent the People of the State of California.

17 **Defendants**

18 2. Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
19 HUSTLERS/GANGSTER CRIPS each were, and at all times mentioned herein are, unincorporated
20 associations within the meaning of Code of Civil Procedure section 369.5, with each unincorporated
21 association acting by and through its respective members and associates. Defendants SWAN BLOODS,
22 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS act by and
23 through their respective members, individually, collectively, and in concert, and conduct their affairs
24 and activities in the City of Los Angeles, County of Los Angeles, State of California. Defendants
25 SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER
26 CRIPS are rivals and each claims gang territory, or "turf," within the Fremont Free Passage Safety Zone
27 (hereinafter "Safety Zone," which is described in paragraph 13, *infra*, and depicted in Exhibit 1, which is
28 attached and incorporated herein).

1 3. Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
2 HUSTLERS/GANGSTER CRIPS each were, and at all times mentioned herein are, criminal street
3 gangs as defined in Penal Code section 186.22, subdivision (f), inasmuch as each defendant is a group of
4 three or more individuals with a common name or common symbol and whose members, individually or
5 collectively, engage in or have engaged in a pattern of criminal gang activity, and has as one of its
6 primary activities the commission of enumerated "predicate crimes." Members of SWAN BLOODS,
7 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS frequently
8 invoke their respective gang's name, such as "Swans" or "F13" or "Main Street" or "7-Trey" as they
9 commit their criminal and nuisance activities. Members of each gang use their respective gang's name
10 to confront, intimidate, and harass students and other individuals who live in, work in, visit and pass
11 through the Safety Zone. Because their members function under a common name, fairness requires that
12 each defendant, SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
13 HUSTLERS/GANGSTER CRIPS, be recognized as a separate and distinct legal entity.

14 4. Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
15 HUSTLERS/GANGSTER CRIPS each were, and at all times mentioned herein are, also unincorporated
16 associations within the meaning of Corporations Code section 18035, subdivision (a), inasmuch as each
17 consists of two or more individuals joined by mutual consent for some common lawful purposes, such as
18 attending social gatherings, recreational events, and funerals. However, notwithstanding any common
19 lawful purpose, Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
20 HUSTLERS/GANGSTER CRIPS each are criminal street gangs whose members are primarily engaged
21 in criminal and nuisance activities which constitute Bane Act violations and a public nuisance within the
22 Safety Zone.

23 5. Defendant SWAN BLOODS is comprised of members including, but not limited to,
24 Derrick Browning, Demonte Daniels, Ray Gammage, Derek Hall, Steve Hawkins, Damien Henderson,
25 Kip Henry, Antonio Hernandez, Nyerere Jase, Floyd Leslie, Charlie Melchor, Gerald Morris, Deandre
26 Ross, Donald Trotter, Mister Young, and Terrence Williams (hereinafter known as "**Designated Swan**
27 **Bloods Gang Members**") and depicted in photographs attached and incorporated herein as Exhibit 2),
28 each of whom has been within the Safety Zone in the City of Los Angeles and is responsible in some

1 manner for the Bane Act violations and public nuisance described in this Complaint.

2 6. Defendant FLORENCIA 13 is comprised of members including, but not limited to, Raul
3 Garcia, Jr., Christopher Gonzalez, Eric Maqueda, Giovanni Mendez, Irvin Mendez, Juan Miranda, Hugo
4 Pineda, Abel Rosas, Jr., Juan Tamayo, and Saul Tamayo (hereinafter known as **"Designated Florencia**
5 **13 Gang Members"** and depicted in photographs attached and incorporated herein as Exhibit 3), each
6 of whom has been within the Safety Zone in the City of Los Angeles and is responsible in some manner
7 for the Bane Act violations described in this Complaint.

8 7. Defendant MAIN STREET CRIPS is comprised of members including, but not limited
9 to, Ronnie Bennett, Torry Brown, Dante Calvin, Courtney Daniels, Jermaine Durley, Diondre Green,
10 Carlton Mayham, Stacey Morgan, Walter Perkins, and Daveon Rand (hereinafter known as **"Designated**
11 **Main Street Crips Gang Members"** and depicted in photographs attached and incorporated herein as
12 Exhibit 4), each of whom has been within the Safety Zone in the City of Los Angeles and is responsible
13 in some manner for the Bane Act violations and public nuisance described in this Complaint.

14 8. Defendant 7-TREY HUSTLERS/GANGSTER CRIPS is comprised of members
15 including, but not limited to, Ervin Cavitt, Alex Clark, Yasmayne Craddock, Kwanza Grigsby, Dontae
16 Kelly, Maurice Luster, Richard Marcario, Kenneth Moore, Kenneth Nicholson, Nadir Parker, and Dione
17 Robinson (hereinafter known as **"Designated 7-Trey Hustlers/Gangster Crips Gang Members"** and
18 depicted in photographs attached and incorporated herein as Exhibit 5), each of whom has been within
19 the Safety Zone in the City of Los Angeles and is responsible in some manner for the Bane Act
20 violations and public nuisance described in this Complaint.

21 9. Defendants Does 1 through 300 are individuals, the true identities of whom are presently
22 unknown to the People, who therefore sue these defendants by such fictitious names. The People will
23 amend this complaint to allege their true names when such information is ascertained. The People are
24 informed and believe that each of the defendants designated as Does 1 through 300, inclusive, is either a
25 member of Defendant SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, or 7-TREY
26 HUSTLERS/GANGSTER CRIPS, has been in the Safety Zone, and is responsible in some manner for
27 the Bane Act violations and public nuisance described in this Complaint.

28 10. Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, 7-TREY

HUSTLERS/GANGSTER CRIPS, and Does 1 through 300 are hereinafter collectively referred to as "Defendants."

JURISDICTION AND VENUE

11. Jurisdiction of this Court is invoked pursuant to the California Constitution, article VI, section 4, Code of Civil Procedure section 526, and Civil Code sections 52.1, subdivision (c), and 3491. This court is the proper venue pursuant to Civil Code section 52.1, subdivision (c), as the conduct complained of occurred and is continuing to occur in the County of Los Angeles.

FIRST CAUSE OF ACTION FOR VIOLATIONS OF THE TOM BANE CIVIL RIGHTS ACT COMMITTED BY ALL DEFENDANTS

12. The People repeat, re-allege and incorporate herein by this reference each and every allegation contained in Paragraphs 1 through 11, inclusive.

13. The People seek injunctive relief within the Fremont Free Passage Safety Zone (hereinafter "Safety Zone" and depicted in Exhibit 1). The Safety Zone is bounded by Florence Avenue to the north, Central Avenue to the east, Manchester Avenue to the south, and the 110 Freeway to the west (but not including the roadbed of the freeway), and extending 100 yards to the outside of each of these boundaries. The Safety Zone is located in the City of Los Angeles, County of Los Angeles, State of California. The acts that are the subject of this Complaint occurred and are occurring in the Safety Zone.

14. John C. Fremont High School (hereinafter "Fremont High School" or "Fremont"), a public high school within the Los Angeles Unified School District, is located at 7676 South San Pedro Street, Los Angeles, California 90003, and is within the Safety Zone. Fremont High School is currently in session, year-round, Monday through Friday.

15. The activities of members of Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS violate the Tom Bane Civil Rights Act (hereinafter "Bane Act"), as provided in Civil Code section 52.1. The Bane Act protects an individual's peaceable exercise and enjoyment of rights secured by the Constitution or laws of the United States, or by the Constitution or laws of California. An individual is protected from attempts to interfere or actual

interference, by use of threats, intimidation, or coercion, with his or her peaceable exercise or enjoyment of such secured rights. (Civ. Code, § 52.1, subd. (a).)

16. Three independent constitutional rights guaranteed to Fremont High School students are at stake. First, public education is a fundamental right under the California Constitution. (See Cal. Const., art. IX, § 5; *Serrano v. Priest* (1971) 5 Cal.3d 584, 608-610 (*Serrano I*); *Serrano v. Priest* (1976) 18 Cal.3d 728, 765-766 (*Serrano II*); *Crawford v. Board of Education* (1976) 17 Cal.3d 280, 297.) Second, public school students have a constitutional, "inalienable right to attend campuses which are safe, secure and peaceful." (Cal. Const., art. I, §28, subd. (f)(1).) This Constitutional right applies to students at all levels of public education, primary, elementary, junior high and senior high school. (*Ibid.*) Also, the right to public safety extends to all public school campuses, "where students and staff have the right to be safe and secure in their persons." (Cal. Const., art. I, § 28, subd. (a)(7).) Third, students have a constitutional right to travel. (*In re White* (1979) 97 Cal.App.3d 141, 148-149.) The activities of Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, acting through their respective members, infringe on the right of students to obtain public education on a safe, secure, and peaceful campus, as well as their right to travel safely to and from Fremont High School.

17. Throughout the Safety Zone, Defendants, individually, collectively, and in concert, have attempted to interfere, and have interfered, by threats, intimidation, and coercion, with the ability of Fremont High School students to peaceably exercise and enjoy civil rights secured by the California Constitution. For many years, Defendants, individually, collectively, and in concert, have staked out "turf" within the Safety Zone as the exclusive territory of their respective gang. Defendants' domination has resulted in neighborhoods plagued by assaults, robberies, and gunfire, as well as narcotics sales, gang graffiti, and groups of gang members loitering on public sidewalks, streets and in alleys. Within each gang's claimed territory, their members act and do as they please, with no regard for the rights of Fremont High School students attempting to travel to and from school and freely exercise their right to obtain a public education on a safe and secure campus.

18. Members of Defendant gangs confront, intimidate, threaten, rob, and assault Fremont High School students as they travel to and from school, and while they are in attendance on the school

1 campus. Students are confronted, intimidated, threatened, robbed, and assaulted in the locker room and
2 school restrooms, and on the physical education field. Many Fremont High School students walk or ride
3 bicycles to and from school on public sidewalks, streets, and in alleys within the Safety Zone. The
4 routes the students take to travel to and from Fremont necessarily fall within areas claimed by one of the
5 four gangs the People seek to enjoin. As a result, students who must travel through Defendant gangs'
6 claimed "turf" to travel to and from Fremont High School are subjected to Defendants' threats,
7 intimidation, and coercion.

8 19. Members of Defendant gangs threaten Fremont High School students attending school on
9 the campus and passing through the Safety Zone with the classic gang question, "Where you from?"
10 Such a challenge is frequently a precursor to an assault, robbery, shooting, or other form of harassment.
11 Most students truthfully answer that they are from "Nowhere," hoping to escape the inevitable assault or
12 robbery. But regardless of the answer, the end result is almost always the same: the students are
13 attacked by Defendants' gang members with fists, brass knuckles, knives, guns, or other weapons, and
14 their money and/or property is taken.

15 20. Defendants' criminal acts in the Safety Zone create a dangerous environment through
16 which students must travel to attend school. Defendants' gang members "case" the public streets and
17 sidewalks for potential student victims. They target Fremont students who are walking, riding a bicycle,
18 or waiting by the bus stop before school begins and after school has ended. Once the gang members
19 identify a potential victim, two or more gang members approach a student on the sidewalk, confront the
20 student with threats of physical violence and/or inflict actual physical violence, display a weapon, and
21 demand and/or forcibly remove the student's money or property. Such activities by members of
22 Defendant gangs interfere with the exercise of rights which the Bane Act seeks to protect.

23 21. Fremont High School students, whether they live in the Safety Zone or only travel
24 through it to attend school, are constantly in a state of fear. Students walking or riding their bicycles to
25 or from school will purposely bypass certain streets in an attempt to avoid becoming the next victim of a
26 gang attack. As an example, Defendants' gang members have been known to prey on Fremont High
27 School students on Avalon Boulevard and South San Pedro Street, major north-south corridors in the
28 Safety Zone. These attacks include "licks," which is street vernacular for robberies. In a typical lick, a

gang member confronts a student victim and demands the student's iPod (portable media player), wallet, money, jewelry, and/or cell phone. If the student claims he does not possess such items, the gang member, or more likely than not, a group of two or more gang members, will "stomp" or "beat down" the student. A stomp or beat down is a beating so severe that it often requires ambulance or paramedic response and/or hospitalization.

22. Defendants SWAN BLOODS, FLORENCIA 13, 7-TREY HUSTLERS/GANGSTER CRIPS, and MAIN STREET CRIPS gang members, individually, collectively, and in concert with members from their own gang, threaten, intimidate, and coerce students by gathering in groups, sporting gang tattoos, wearing gang attire, flashing gang signs, and shouting "This is Florencia" or "Swans" to instill fear in the hearts of students traveling to and from school, and while they are attending Fremont High School.

23. To ensure that their criminal and nuisance activities continue unabated, SWAN BLOODS, FLORENCIA 13, 7-TREY HUSTLERS/GANGSTER CRIPS, and MAIN STREET CRIPS gang members threaten death or other retaliatory acts to silence victims of and/or witnesses to their criminal activities. Students justifiably believe they are at risk if they report crimes committed by members of SWAN BLOODS, FLORENCIA 13, 7-TREY HUSTLERS/GANGSTER CRIPS, or MAIN STREET CRIPS. Intimidation is a means for members of Defendant gangs to avoid prosecution for their conduct. This atmosphere of fear threatens and intimidates students, in violation of their constitutional rights to travel, public education, and a peaceful, safe and secure campus.

24. Fremont High School students who have been beaten up or robbed by members of Defendant gangs are usually far too scared of retaliation by the gang members to report their victimization to law enforcement. The students' fears are well-justified. Many members of Defendant gangs are enrolled at and attend Fremont High School. Some are assigned to the same classroom or locker room as the victim student. It is not hard for members of Defendant gangs to locate and retaliate against a student who has been labeled a "snitch" for reporting a gang crime or assisting in the prosecution of a gang member. The Safety Zone is also a relatively small area; it is not a hard task for gang members to find out where the student victim and his or her family reside. Defendants' reputation for violence and retaliation also causes witnesses to the gangs' criminal activities to remain silent and

1 refuse to assist law enforcement efforts to locate the responsible gang members.

2 25. In addition to being personally victimized by Defendants' crimes and other gang-related
3 activities, Fremont High School students - on a daily basis - are forced to observe violent crimes
4 committed against others. Throughout the Safety Zone and on the high school campus, Defendants'
5 members not only confront and attack other students, but also confront, assault, rob, shoot at, and bring
6 harm to others who live in, work in, or pass through the Safety Zone. Defendants' criminal and other
7 gang-related activities against school students or others throughout the Safety Zone violate the Bane
8 Act. Defendants' activities create a threatening and intimidating atmosphere for students, and therefore,
9 infringe upon the students' rights to travel to and from school, to a public education, and to a peaceful,
10 safe, and secure campus.

11 26. Defendants' activities attempt to interfere with and do interfere with Fremont High
12 School students' constitutional rights by creating a dangerous, threatening, and intimidating
13 environment in the neighborhood surrounding Fremont High School. Their conduct brings potential and
14 actual harm to the areas within the Safety Zone. Defendants' gang activities lead to retaliatory shootings
15 and cross-out graffiti by rival gangs. These retaliatory activities occur both on the Fremont campus, and
16 on the surrounding streets and sidewalks within the Safety Zone. Students are placed in harm's way by
17 a stray bullet or confrontation from rival gang members when they are on the high school campus and as
18 they travel to the high school. By being magnets for rival gang activities, Defendants are responsible for
19 infringing on the ability of Fremont High School students to exercise their constitutional rights to travel
20 freely to and from school and to a public education on a school campus that is peaceful, safe, and secure.

21 27. Throughout the Safety Zone, Defendants, individually, collectively, and in concert, also
22 vandalize public and private property, carry weapons, sell and use narcotics, trespass, loiter, and drink
23 alcohol on sidewalks and streets. These activities occur throughout the day, as well as during hours
24 when students are traveling to and from Fremont High School. Such activities create and foster an
25 atmosphere of fear and intimidation. Out of fear for their safety and lives, many students travel to and
26 from school in groups, rather than alone, in an effort to decrease the likelihood of becoming a victim of
27 a gang attack. Defendants by their threatening, intimidating and coercive actions have attempted to
28 interfere with, and do interfere with the constitutional rights of students to travel safely to and from

1 school and to receive a public high school education on a safe, secure and peaceful campus.

2 28. Members of Defendant gangs claim ownership of their "turf" in the Safety Zone by spray
3 painting their gang's graffiti on public and private property, on the school campus, and throughout the
4 Safety Zone. To enhance each gang's notoriety, Defendants' members vandalize the exterior and
5 interior walls of buildings and residences, school furniture and walls, and other public and private
6 property with their gang's name, "Swans," "Florescia," "MSC" or "73 GC," or a number of variations
7 thereof. Defendants vandalize and apply gang-related graffiti on the walls, benches, and other property
8 on the Fremont campus. Likewise, public and private property throughout the Safety Zone, including
9 Fremont High School, is defaced daily with the monikers of members who claim membership in
10 Defendant gangs. Gang graffiti effectively dissuades students from speaking out against Defendants and
11 their respective members. Such graffiti is an implied threat and intimidates students traveling to and
12 from school, and while attending Fremont High School, because it lets students know they are in a gang-
13 claimed territory. As such, Defendants' graffiti creates a threatening, intimidating and coercive
14 environment.

15 29. Defendants also threaten, intimidate, and coerce students traveling in the Safety Zone and
16 on the Fremont campus when members of their gangs brandish firearms and other dangerous and/or
17 illegal weapons. Numerous bullets, shell casings, and a variety of firearms have been recovered on the
18 high school campus and throughout the Safety Zone. By engaging in shootings, Defendants SWAN
19 BLOODS, FLORENCIA 13, 7-TREY HUSTLERS/GANGSTER CRIPS, and MAIN STREET CRIPS,
20 acting through their respective members, demonstrate a blatant disregard for the lives and safety of
21 innocent students who may get caught in the gunfire. Students traveling through the Safety Zone and
22 attending school are threatened and justifiably fear that gang shootings or other random acts of violence
23 may break out at any moment.

24 30. In addition, Defendants, individually, collectively, and in concert, possess, sell, transport
25 and use illegal narcotics, including rock cocaine, methamphetamine, and marijuana. Defendants'
26 narcotics business is thriving throughout the Safety Zone and on the Fremont High School campus. To
27 carry out their narcotics sales, Defendants, individually, collectively and in concert, loiter on the streets,
28 sidewalks and in parking lots, and approach potential narcotics buyers. To protect their narcotics

1 business, Defendant gang members are often armed with firearms and work in groups to convey power
2 in numbers. To avoid detection by the police, Defendants use lookouts and warn each other of
3 approaching law enforcement by yelling, whistling, signaling, or using cell phones. SWAN BLOODS,
4 FLORENCIA 13, 7-TREY HUSTLERS/GANGSTER CRIPS, and MAIN STREET CRIPS gang
5 members have been arrested in the Safety Zone for violating Health and Safety Code section 11350
6 (possession of a controlled substance), Health and Safety Code section 11351.5 (possession for sale of
7 rock cocaine), Health and Safety Code section 11359 (possession for sale of marijuana), and Health and
8 Safety Code section 11360 (transportation with the intent to sell methamphetamine).

9 31. Under the Tom Bane Civil Rights Act (Civ. Code, § 52.1), the Attorney General or any
10 city attorney may bring a civil action for injunctive and other appropriate equitable relief in the name of
11 the People of the State of California if a person or persons interferes by threats, intimidation, or
12 coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by
13 any individual or individuals of rights secured by the Constitution or laws of the United States or the
14 Constitution or laws of California, in order to protect the peaceable exercise or enjoyment of the right or
15 rights so secured. (Civ. Code, § 52.1, subd. (a).)

16 32. Defendants have attempted to interfere, have interfered, and are interfering, by threats,
17 intimidation, and coercion, with the ability of Fremont High School students to peaceably exercise and
18 enjoy their inalienable constitutional right to attend a safe, secure, and peaceful school campus, and their
19 fundamental constitutional right to receive a high school education. Thus pursuant to Civil Code section
20 52.1, Plaintiff is entitled to bring this action for injunctive relief in order to protect the peaceable
21 exercise and enjoyment of constitutional rights granted to Fremont High School students.

22 33. Because Fremont High School students have no choice but to walk or ride a bicycle on
23 the sidewalks and streets of the Safety Zone to get to Fremont High School, the students are at the mercy
24 of individuals who claim membership in Defendant gangs. Defendants SWAN BLOODS,
25 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, through
26 their actions as described in this Complaint, have attempted to interfere, and do interfere, by threats,
27 intimidation, and coercion, with the exercise and enjoyment by Fremont High School students of their
28 inalienable constitutional right to attend a safe, secure, and peaceful campus, and their fundamental

1 constitutional right to receive a high school education.

2 34. The People have no plain, speedy, or adequate remedy at law. Many victims and
3 witnesses to criminal activities committed by members of Defendants SWAN BLOODS, FLORENCIA
4 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS feel the gangs' constant,
5 pervasive, and menacing presence in the Safety Zone, and thus refuse to cooperate with law
6 enforcement. Defendants threaten basic public order with their oppressive and widespread witness
7 intimidation. Even successful criminal prosecution has not deterred Defendants from pursuing their
8 criminal activities. Gang members released from county jail or state prison after serving sentences for
9 their crimes often return to their gang's turf and resume their illegal activities. Traditional law
10 enforcement methods have not eliminated the immediate and continual risk to the lives and property of
11 the students who attend Fremont High School, and who live in and pass through the Safety Zone.

12 35. Unless restrained by this Court, Defendants, acting through their respective membership,
13 will continue to violate the rights of students as protected by the Bane Act. Unless restrained by this
14 Court, Defendants will continue to harass, attack, injure, rob, and shoot at students in the Safety Zone.
15 Unless restrained by this Court, Defendants will continue to intimidate students from reporting and
16 prosecuting criminal activities committed by SWAN BLOODS, FLORENCIA 13, 7-TREY
17 HUSTLERS/GANGSTER CRIPS, and MAIN STREET CRIPS gang members. Unless restrained by
18 this Court, Defendants will continue to apply gang graffiti to property in the Safety Zone. Unless
19 restrained by this Court, Defendant gang members will continue to arm themselves and engage in
20 violent activities in the Safety Zone. Unless restrained by this Court, Defendants will continue to use
21 and sell drugs in the Safety Zone. Unless restrained by this Court, Defendants will continue to drink and
22 use drugs in public, and trespass on public and private property. Unless restrained by this Court,
23 members of Defendant gangs will continue to loiter in the streets and on sidewalks, blocking students
24 from using the sidewalks and streets to travel to and from Fremont High School. Unless restrained by
25 this Court, Defendants will continue to threaten, intimidate, and coerce Fremont High School students
26 who pass through the Safety Zone while traveling to and from Fremont High School to exercise their
27 right to a public education in a peaceful, safe and secure environment.

28 ///

1 **SECOND CAUSE OF ACTION TO ABATE THE PUBLIC NUISANCE**
2 **CAUSED BY DEFENDANTS SWAN BLOODS, MAIN STREET CRIPS,**
3 **7-TREY HUSTLERS/GANGSTER CRIPS, AND DOES 1 THROUGH 300**

4 36. The People repeat, re-allege and incorporate herein by this reference each and every
5 allegation contained in Paragraphs 1 through 35, inclusive.

6 37. The activities of Defendants SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY
7 HUSTLERS/GANGSTER CRIPS, acting through their respective members, constitute a public nuisance
8 pursuant to Civil Code sections 3479 and 3480. Throughout the Safety Zone, Defendants, individually,
9 collectively, and in concert, threaten, intimidate, confront, assault, rob and shoot at individuals.
10 Defendants, individually, collectively, and in concert, vandalize public and private property, carry
11 weapons, trespass, loiter, sell and use narcotics, and drink alcohol on public sidewalks and streets, and in
12 parking lots and apartment complexes. Defendants' criminal and nuisance behavior is injurious to the
13 health, indecent and offensive to the senses, and an obstruction to the free use of property, so as to
14 interfere with the comfortable enjoyment of life and property by the people who live in, work in, visit
15 and pass through the Safety Zone.

16 38. Many of the acts committed by members of Defendants SWAN BLOODS, MAIN
17 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS within the Safety Zone constitute a
18 nuisance per se. Los Angeles Municipal Code (hereinafter "LAMC") section 11.00, subdivision (m),
19 provides that a violation of the LAMC shall be deemed a nuisance and may be abated as such.
20 Defendants, individually, collectively, and in concert, have committed numerous LAMC violations
21 including, but not limited to, the following: using lookouts for illegal acts (LAMC section 41.03);
22 causing injury to public property (LAMC section 41.14); loitering upon public sidewalks and causing an
23 obstruction or unreasonable interference of free passage for pedestrians (LAMC section 41.18);
24 trespassing onto private property (LAMC section 41.24); possessing open containers of alcohol and
25 drinking in public (LAMC section 41.27); curfew restrictions for minors (LAMC section 45.03);
26 painting or writing graffiti on public or private property (LAMC sections 49.84 and 49.85); discharging
27 firearms within city limits (LAMC section 55.00); and carrying concealed weapons (LAMC section
28 55.01).

39. In addition to these LAMC violations, Defendants, individually, collectively, and in

1 concert, possess, sell, transport and use illegal narcotics including rock cocaine, methamphetamine, and
2 marijuana. The illegal sale of controlled substances is deemed a nuisance *per se* pursuant to Civil Code
3 section 3479. To carry out their narcotics sales, Defendants, individually, collectively, and in concert,
4 loiter on the streets, sidewalks, and in parking lots and approach potential narcotics buyers. To avoid
5 detection by the police, Defendants use lookouts and warn each other of approaching law enforcement.
6 SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS gang
7 members have been arrested in the Safety Zone for violating Health and Safety Code section 11350
8 (possession of a controlled substance), Health and Safety Code section 11351.5 (possession for sale of
9 rock cocaine), Health and Safety Code section 11359 (possession for sale of marijuana), and Health and
10 Safety Code section 11379 (transportation of methamphetamine). These activities are not only illegal
11 and dangerous, but are also indecent and offensive to the senses, and thus constitute a public nuisance.

12 40. Defendants, individually, collectively, and in concert, have brought and continue to bring
13 violence into the Safety Zone, creating a threatening atmosphere in which community members must
14 live and work. Members of SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY
15 HUSTLERS/GANGSTER CRIPS arm themselves with guns and other dangerous or illegal weapons.
16 Numerous bullets, shell casings, and firearms have been recovered in the Safety Zone. By engaging in
17 shootings in the Safety Zone, Defendants demonstrate a blatant disregard for the lives and safety of
18 innocent victims who may get caught in the gunfire. Community members live in fear that gang
19 shootings or other random acts of violence may break out at any moment in the Safety Zone. The
20 actions of Defendants' gang members endanger the lives and shatter the sense of peace and security of
21 the people who live and work in the Safety Zone.

22 41. Defendants SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY
23 HUSTLERS/GANGSTER CRIPS gang members, individually, collectively, and in concert with
24 members from their own gang, terrorize and intimidate the community in the Safety Zone. They do so
25 by gathering in groups, sporting gang tattoos, wearing gang attire, flashing gang signs, and shouting
26 their gang's name to instill fear in the hearts of those who live and work in the Safety Zone. Community
27 members justifiably believe they are at risk if they report criminal or nuisance behavior committed by
28 members of Defendant gangs. To ensure that their criminal and nuisance activities continue unabated,

1 SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS gang
2 members threaten death or other retaliatory acts to silence victims of and witnesses to their criminal
3 activities. Intimidation is a means for Defendants to avoid prosecution for their conduct. This
4 intimidation causes a nuisance by creating an atmosphere of fear that is injurious to the community's
5 health, and indecent and offensive to the senses and deprives the community of its comfortable
6 enjoyment of life and property.

7 42. Defendants, individually, collectively, and in concert, annoy, harass and confront
8 individuals who live in, work in, and pass through the Safety Zone, causing victims to fear for their
9 safety and the safety of their families and friends. Residents, workers and individuals passing through
10 the Safety Zone are challenged with the classic gang question, "Where you from?" Such a question is
11 frequently a precursor to an assault, robbery, shooting, or other act of violence or form of harassment.
12 The conduct of SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER
13 CRIPS gang members is, at best, indecent and offensive to the senses and a substantial and unreasonable
14 deprivation of the community's right to the comfortable enjoyment of life and property, and, all too
15 often, injurious or fatal to the lives of the victims challenged.

16 43. Because of Defendants' criminal and nuisance activities, law-abiding people are forced to
17 stay indoors to avoid being confronted, harassed, shot at, attacked, or robbed. Community members are
18 also forced to alter their lives to avoid becoming victims of, or witnesses to, Defendants' criminal and
19 nuisance activities. Consequently, Defendants' behavior is injurious to the health, indecent and
20 offensive to the senses and interferes with the free use and comfortable enjoyment of life and property
21 by the people in the Safety Zone.

22 44. Defendants, individually, collectively, and in concert, treat the property of others as their
23 own. SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS gang
24 members conduct nuisance and illegal activities on private and public properties in the Safety Zone.
25 They congregate in and around apartments, homes and parking lots to sell or use narcotics, drink
26 alcohol, or apply graffiti. When fleeing from law enforcement, these gang members enter or attempt to
27 enter the homes of community members in an effort to avoid detection or hide evidence. By their
28 actions, Defendants interfere with and impair the private and possessory rights of the owners and tenants

1 in the Safety Zone. The behavior of SWAN BLOODS, MAIN STREET CRIPS, and 7-TREY
2 HUSTLERS/GANGSTER CRIPS gang members obstructs the free use of property by the lawful owners
3 and tenants.

4 45. Defendants, individually, collectively, and in concert, proclaim their ownership of the
5 Safety Zone by spraying gang graffiti on public and private property in the Safety Zone. To enhance
6 their notoriety, they vandalize the exterior and interior walls of buildings and residences, sidewalks,
7 alleys, and other public and private property with their gang's name or their monikers. Defendants'
8 graffiti intimidates and dissuades people from speaking out against the gang. Defendants' graffiti is a
9 visual blight, and private owners and public agencies are forced to expend time, labor, and money in an
10 attempt to eradicate it. Defendants' graffiti is indecent and offensive to the senses and interferes with
11 the comfortable enjoyment of property by those who live and work in the Safety Zone.

12 46. The People have no plain, speedy, or adequate remedy at law. Many victims of and
13 witnesses to nuisance and criminal activities committed by Defendants SWAN BLOODS, MAIN
14 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS gang members feel Defendants'
15 constant, pervasive, and menacing presence in their communities. As a result, victims and witnesses,
16 out of fear, refuse to cooperate with law enforcement. Defendants threaten basic public order with their
17 oppressive and widespread witness intimidation. Even successful criminal prosecution has not deterred
18 Defendants from pursuing their criminal and nuisance activities. Gang members released after serving
19 sentences for their crimes return to their gang's turf and resume their illegal activities. Traditional law
20 enforcement methods have not eliminated the immediate and continual risk to the lives and property of
21 the people who live in, work in, visit, and pass through the Safety Zone.

22 47. The criminal and nuisance activities committed by Defendants' gang members, acting
23 individually, collectively, and in concert, interfere with the rights of the community in the Safety Zone
24 and, as a result, constitute a public nuisance. Unless restrained by this Court, Defendants will continue
25 to injure, rob, attack, harass, threaten, intimidate, and degrade the lives of the individuals who live in,
26 work in, visit, and pass through the Safety Zone. Unless restrained by this Court, Defendants will
27 continue to arm themselves and engage in violent activities in the Safety Zone. Unless restrained by this
28 Court, these gang members will continue to intimidate the community from reporting and prosecuting

1 criminal and nuisance activities committed by members of their respective gangs. Unless restrained by
2 this Court, Defendants will continue become drunk and use drugs in public, and trespass on public and
3 private property. Unless restrained by this Court, Defendants will continue to loiter in the streets and on
4 sidewalks, blocking pedestrian and vehicular traffic. Unless restrained by this Court, Defendants will
5 continue to use and sell drugs in the Safety Zone. Unless restrained by this Court, Defendants will
6 continue to apply gang graffiti to property in the Safety Zone.

7 48. Unless restrained by this Court, Defendants will continue to cause great and irreparable
8 damage, injury, and harm to the individuals who live in, work in, visit, and pass through the Safety
9 Zone. Unless restrained by this Court, Defendants will continue to maintain the public nuisance in the
10 Safety Zone, by participating in and promoting the above-described activities. Each activity has been,
11 and will continue to be, without the consent, against the will, and in violation of the rights of the
12 community in the Safety Zone. The peace, safety, and comfortable enjoyment of the life and property
13 by community members in the Safety Zone are being, and will continue to be, disturbed and threatened,
14 unless equitable relief in the form of an injunction as prayed for against Defendants SWAN BLOODS,
15 MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS is granted.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, the People pray that judgment be entered in favor of the People and against
18 Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
19 HUSTLERS/GANGSTER CRIPS, as follows:

20 1. For a judicial determination that Defendants SWAN BLOODS, FLORENCIA 13, MAIN
21 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS are each an unincorporated
22 association within the meaning of Code of Civil Procedure section 369.5 and Corporations Code section
23 18035;

24 2. For a judicial determination that Defendants SWAN BLOODS, FLORENCIA 13, MAIN
25 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS are each a criminal street gang within
26 the meaning of Penal Code section 186.22, subdivision (f), and are each a gang as defined in *People v.*
27 *Englebrecht* (2001) 88 Cal.App.4th 1236, 1258;

28 3. For a judicial determination that Defendants SWAN BLOODS, FLORENCIA 13, MAIN

1 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, each have violated the Bane Civil
2 Rights Act, by interfering by threats, intimidation, and coercion, and by attempting to interfere by
3 threats, intimidation, and coercion, with the peaceable exercise and enjoyment by Fremont High School
4 students of the students' constitutional right to receive a public education;

5 4. For a judicial determination that Defendants SWAN BLOODS, FLORENCIA 13, MAIN
6 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, each have violated the Bane Civil
7 Rights Act, by interfering by threats, intimidation, and coercion, and by attempting to interfere by
8 threats, intimidation, and coercion, with the peaceable exercise and enjoyment by Fremont High School
9 students of their constitutional right to attend a campus that is safe, secure and peaceful;

10 5. For a judicial determination that Defendants SWAN BLOODS, FLORENCIA 13, MAIN
11 STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, each have violated the Bane Civil
12 Rights Act, by interfering by threats, intimidation, and coercion, and by attempting to interfere by
13 threats, intimidation, and coercion, with the peaceable exercise and enjoyment by Fremont High School
14 students of their constitutional right to travel safely to and from Fremont High School;

15 6. For a judicial determination that a public nuisance within the meaning of Civil Code
16 sections 3479 and 3480 exists in the Fremont Free Passage Safety Zone (the "Safety Zone" depicted in
17 Exhibit 1), located in the City of Los Angeles, County of Los Angeles, and; bounded by Florence
18 Avenue to the north, Central Avenue to the east, Manchester Avenue to the south, and the 110 Freeway
19 to the west (but not including the roadbed of the freeway), and extending 100 yards to the outside of
20 each of these boundaries

21 7. For a judicial determination that Defendant SWAN BLOODS, and its members,
22 including, but not limited to, the individuals listed as "Designated Swan Bloods Gang Members" and
23 depicted in Exhibit 2, are responsible for creating and maintaining the public nuisance in the Safety
24 Zone;

25 8. For a judicial determination that Defendant MAIN STREET CRIPS, and its members,
26 including, but not limited to, the individuals listed as "Designated Main Street Crips Gang Members"
27 and depicted in Exhibit 4, are responsible for creating and maintaining the public nuisance in the Safety
28 Zone;

1 9. For a judicial determination that Defendant 7-TREY HUSTLERS/GANGSTER CRIPS,
2 and its members, including, but not limited to, the individuals listed as "Designated 7-Trey
3 Hustlers/Gangster Crips Gang Members" and depicted in Exhibit 5, are responsible for creating and
4 maintaining the public nuisance in the Safety Zone;

5 10. For injunctive relief enjoining and restraining **Defendant SWAN BLOODS**, and its
6 members including, but not limited to, the individuals listed as "Designated Swan Bloods Gang
7 Member" and depicted in Exhibit 2, and all persons acting under, in concert with, for the benefit of, at
8 the direction of, or in association with them or any of them, and **Defendant FLORENCIA 13**, and its
9 members including, but not limited to, the individuals listed as "Designated Florencia 13 Gang
10 Members" and depicted in Exhibit 3, and all persons acting under, in concert with, for the benefit of, at
11 the direction of, or in association with them or any of them, and **Defendant MAIN STREET CRIPS**,
12 and its members including, but not limited to, the individuals listed as "Designated Main Street Crips
13 Gang Members" and depicted in Exhibit 4, and all persons acting under, in concert with, for the benefit
14 of, at the direction of, or in association with them or any of them, and **Defendant 7-TREY**
15 **HUSTLERS/GANGSTER CRIPS**, and its members including, but not limited to, the individuals listed
16 as "Designated 7-Trey Hustlers/Gangster Crips Gang Members" and depicted in Exhibit 5, and all
17 persons acting under, in concert with, for the benefit of, at the direction of, or in association with them
18 or any of them, from engaging in or performing, directly or indirectly, any of the following activities in
19 the Safety Zone:

20 a. **Do Not Associate:** Standing, sitting, walking, driving, gathering or appearing
21 anywhere in public view, in a public place or in any place accessible to the public, with any other known
22 member of Defendants SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY
23 HUSTLERS/GANGSTER CRIPS, including, but not limited to, all individuals listed as "Designated
24 Swan Bloods Gang Members," "Designated Florencia 13 Gang Members," "Designated Main Street
25 Crips Gang Members" or "Designated 7-Trey Hustlers/Gangster Crips Gang Members." This
26 prohibition shall not apply in either of the following situations: (1) when an enjoined person is inside
27 the premises of a licensed school attending class or conducting school business, or (2) when an enjoined
28 person is inside the premises of a church or religious institution for purposes of worship. This

1 prohibition against associating shall apply to all methods of travel to and from any of the
2 aforementioned permissible locations. For purposes of this Order, "public place" means any place open
3 to the general public or a substantial group of the general public, including, but not limited to, hospitals,
4 transport facilities, and parks. For purposes of this Order, "accessible to the public" means any place to
5 which the general public or a substantial group of the general public has access, including, but not
6 limited to, sidewalks, alleys, streets, parks, driveways, walkways, common areas of apartment buildings,
7 parking lots, stores and shops;

8 b. **No Intimidation:** Confronting, intimidating, annoying, harassing, threatening,
9 challenging, provoking, assaulting, or battering any person who lives in, works in, visits or passes
10 through the Safety Zone, or any person known to be a witness to, or victim of, any SWAN BLOODS,
11 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS gang
12 activity, or any person known to have complained about any gang activity by members of SWAN
13 BLOODS, FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS;

14 c. **No Firearms, Imitation Firearms, Ammunition, or Dangerous or Illegal**
15 **Weapons:** (1) Possessing any firearm, imitation firearm, ammunition, dangerous weapon (defined as
16 any fixed or folding knife with a blade two inches or longer), or illegal weapon as defined in Penal Code
17 section 12020, whether or not concealed, while in public view, in a public place or in any place
18 accessible to the public, (2) knowingly remaining in the presence of anyone who is in possession of such
19 firearm, imitation firearm, ammunition, dangerous weapon or illegal weapon while in public view, in a
20 public place or in any place accessible to the public, or (3) knowingly remaining in the presence of such
21 firearm, imitation firearm, ammunition, dangerous weapon or illegal weapon while in public view, in a
22 public place or in any place accessible to the public;

23 d. **Stay Away From Drugs:** (1) Selling, transporting, possessing or using, without a
24 prescription, any controlled substance or marijuana, or such drug-related paraphernalia, including, but
25 not limited to, rolling papers and pipes used for illegal drug use, (2) knowingly remaining in the
26 presence of anyone selling, transporting, possessing or using, without a prescription, any controlled
27 substance or marijuana, or such drug-related paraphernalia, or (3) knowingly remaining in the presence
28 of any controlled substance or marijuana, or such drug-related paraphernalia;

1 e. **No Lookouts:** Acting as a lookout by whistling, yelling, or otherwise signaling,
2 by any means, including, but not limited to, hand signals, walkie-talkies, or cellular telephones, to warn
3 another person engaged in unlawful or nuisance activity of the approach of law enforcement officers, or
4 soliciting, encouraging, coercing or employing another person to act as such lookout;

5 f. **No Obstructing Traffic:** Obstructing, impeding or blocking the free passage of
6 any person or vehicle on any street, walkway, sidewalk, driveway, alley, parking lot or any other area
7 accessible to the public;

8 g. **Stay Away From Alcohol:** (1) Drinking or possessing an open container of an
9 alcoholic beverage in public view, in a public place or in any place accessible to the public, (2)
10 knowingly remaining in the presence of anyone possessing an open container of an alcoholic beverage
11 in public view, in a public place or in any place accessible to the public, or (3) knowingly remaining in
12 the presence of an open container of an alcoholic beverage in public view, in a public place or in any
13 place accessible to the public;

14 h. **No Graffiti or Vandalism Tools:** Damaging, defacing, marking, painting or
15 otherwise applying graffiti to any public or private property, or possessing any aerosol paint container,
16 felt tip marker or other etching or marking substance as defined in Penal Code sections 594.1 and 594.2,
17 which can be used to paint, spray paint, etch, mark, draw or otherwise apply graffiti;

18 i. **No Loitering:** Loitering in public view, in a public place or in any place
19 accessible to the public for the purpose of engaging in graffiti, drug-related activity or any other
20 unlawful or nuisance activity;

21 j. **No Trespassing:** Being present in or on the property of another person that is not
22 open to the general public, except (1) with the prior written consent of the owner, owner's agent or
23 person in lawful possession of the property, or (2) in the presence of and with the voluntary consent of
24 the owner, owner's agent or person in lawful possession of the property. For purposes of this provision,
25 the prior written consent must be carried on the enjoined person at the time he or she is visiting the
26 property not open to the general public and must be presented when requested by any peace officer;

27 k. **Obey Day Time Curfew:** Being present in public view, in a public place, or in
28 any place accessible to the public, Monday through Friday, between the hours of 6:00 a.m. and 9:00

1 a.m., and between the hours of 2:00 p.m. and 6:00 p.m., unless:

- 2 1) Going directly to, returning directly from, or actively engaged in a legitimate
3 business, trade, profession or occupation requiring the enjoined person's
4 presence; or
- 5 2) Going directly to, or returning directly from, or actively engaged in a school or
6 other educational institution in which the enjoined person is enrolled as a student;
7 or in the process of transporting an enrolled student to and from a school or other
8 educational institution; or
- 9 3) Going directly to, or returning directly from, or actively engaged in a church,
10 synagogue, mosque, temple, or other religious institution; or
- 11 4) Actively involved in a legitimate emergency, such as a fire, natural disaster,
12 automobile accident, or other unforeseen combination of circumstances or the
13 resulting state that calls for immediate action to prevent serious bodily injury or
14 loss of life;
- 15 5) This Day Time Curfew Provision shall not apply to an enjoined person being
16 present in public view in the front yard, side yard, or back yard of his or her own
17 residence located within the Safety Zone.

18 1. **Obey Night Time Curfew:** Being present in public view, in a public place, or in
19 any place accessible to the public, between the hours of 10:00 p.m. and 5:00 a.m., unless:

- 20 1) Going directly to, returning directly from, or actively engaged in a legitimate
21 business, trade, profession or occupation requiring the enjoined person's
22 presence; or
- 23 2) Going directly to, returning directly from, or actively engaged in a lawful, non-
24 gang related entertainment event; or
- 25 3) Actively involved in a legitimate emergency, such as a fire, natural disaster,
26 automobile accident, or other unforeseen combination of circumstances or the
27 resulting state that calls for immediate action to prevent serious bodily injury or
28 loss of life; and

1 m. **Obey All Laws:** Failing to obey all laws, including (1) those that prohibit
2 violence or threatened violence, including, but not limited to, murder, intimidation, rape, robbery by
3 force or fear, assault or battery, (2) those that prohibit interference with the property rights of others,
4 including, but not limited to trespass, theft, vandalism, or the driving or taking of a vehicle without the
5 owner's consent, (3) those that prohibit the commission of acts that create a nuisance, including, but not
6 limited to, the illegal sale of controlled substances, blocking the sidewalk and street and violations of the
7 Los Angeles Municipal Code, and (4) any lawful orders of the Court;

8 11. For a **Hardship Exemption**, by which any member of Defendants SWAN BLOODS,
9 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, or any
10 person who has been served with this injunction (hereinafter "Served Person") may receive a specific
11 exemption from portions of the "Do Not Associate" and/or "Obey Day Time Curfew" and/or "Obey
12 Night Time Curfew" provisions, as long as Served Person complies with the following process:

13 a. A written application for such exemption is to be made to the Los Angeles City
14 Attorney's Office, Gang Division, Attention DCA Kelly Huynh, at 200 N. Main Street, City Hall East,
15 9th Floor, Room 966, Los Angeles, CA 90012;

16 b. The application must be specific in that it must request permission to associate
17 with only a named individual or named individuals, at specific times and in specific places, when such
18 association is reasonably necessary for some legitimate purpose. Served Person may also request
19 permission to be present in a specific public place between 6:00 a.m. and 9:00 a.m., between 2:00 p.m.
20 and 6:00 p.m., and/or between 10:00 p.m. and 5:00 a.m., when it is reasonably necessary to be in that
21 particular public place at a particular time during the above-mentioned hours; and

22 c. If such application is made and not granted within (10) days after it is delivered or
23 fifteen (15) days after it is mailed, Served Person may apply to this Court for such an exemption by
24 noticed motion.

25 d. If such application is granted, written proof of the Hardship Exemption must be
26 carried by Served Person and must be presented to any peace officer upon request.

27 12. For an **Opt-Out Provision**, by which any member of Defendants SWAN BLOODS,
28 FLORENCIA 13, MAIN STREET CRIPS, and 7-TREY HUSTLERS/GANGSTER CRIPS, or any

1 person who has been served with this injunction (hereinafter "Served Person") may move this Court
2 under this Opt-Out Provision for an order to be dismissed from this action. Plaintiff agrees not to object
3 to Served Person's motion to dismiss him or her from this Order, as long as such dismissal is to be
4 without prejudice and shall not operate as a retraxit in any other action, with each side bearing its own
5 costs and fees, and as long as Served Person's motion satisfies each of the following requirements:

6 a. **Proper Notice:** A motion under this Opt-Out Provision shall be made on proper
7 notice, properly served on Plaintiff's counsel, and shall not be made on shortened time;

8 b. **No Longer a Gang Member:** Served Person must truthfully declare, under
9 penalty of perjury, that he/she is not or is no longer a member of the SWAN BLOODS, FLORENCIA
10 13, MAIN STREET CRIPS, or 7-TREY HUSTLERS/GANGSTER CRIPS, he/she is no longer active
11 with the SWAN BLOODS, FLORENCIA 13, MAIN STREET CRIPS, or 7-TREY HUSTLERS/
12 GANGSTER CRIPS gang, and he/she has not engaged in any gang activity or any criminal activity for a
13 period of three years immediately preceding the filing of such motion.

14 c. **No Third-Party Beneficiaries:** It shall not be a defense to any civil or criminal
15 contempt charge that Served Person was eligible to apply for dismissal under this Opt-Out Provision;

16 d. **No Effect in Other Proceedings:** Plaintiff shall not be bound by the criteria of
17 this Opt-Out Provision in any action, civil or criminal, other than a motion brought under this Provision
18 in this action;

19 e. **Judgment Not Admissible:** This Opt-Out Provision and any orders from it shall
20 not be admissible in any civil or criminal action, and cannot be used for or against Served Person for any
21 purpose whatsoever, other than in a civil or criminal contempt proceeding brought for a violation of this
22 Order; and

23 f. **Dismissed Served Person Committing New Violation:** If subsequent to
24 successfully obtaining an order of dismissal under this Opt-Out provision, Served Person violates
25 subsection b, then Served Person may be re-served with this Order and will be required to comply with
26 the terms and conditions of this Order;

27 ///

28 ///


1 13. For such other and further relief as the Court may deem proper; and

2 14. For costs of suit.

3 DATED: June 11, 2009

4 PEOPLE OF THE STATE OF CALIFORNIA
5 EDMUND G. BROWN JR.
6 Attorney General of the State of California
7 LOUIS VERDUGO, JR.
8 Senior Assistant Attorney General
9 ANGELA SIERRA
10 Supervising Deputy Attorney General
11 DAVID I. BASS
12 Deputy Attorney General

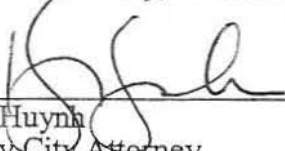
13 By

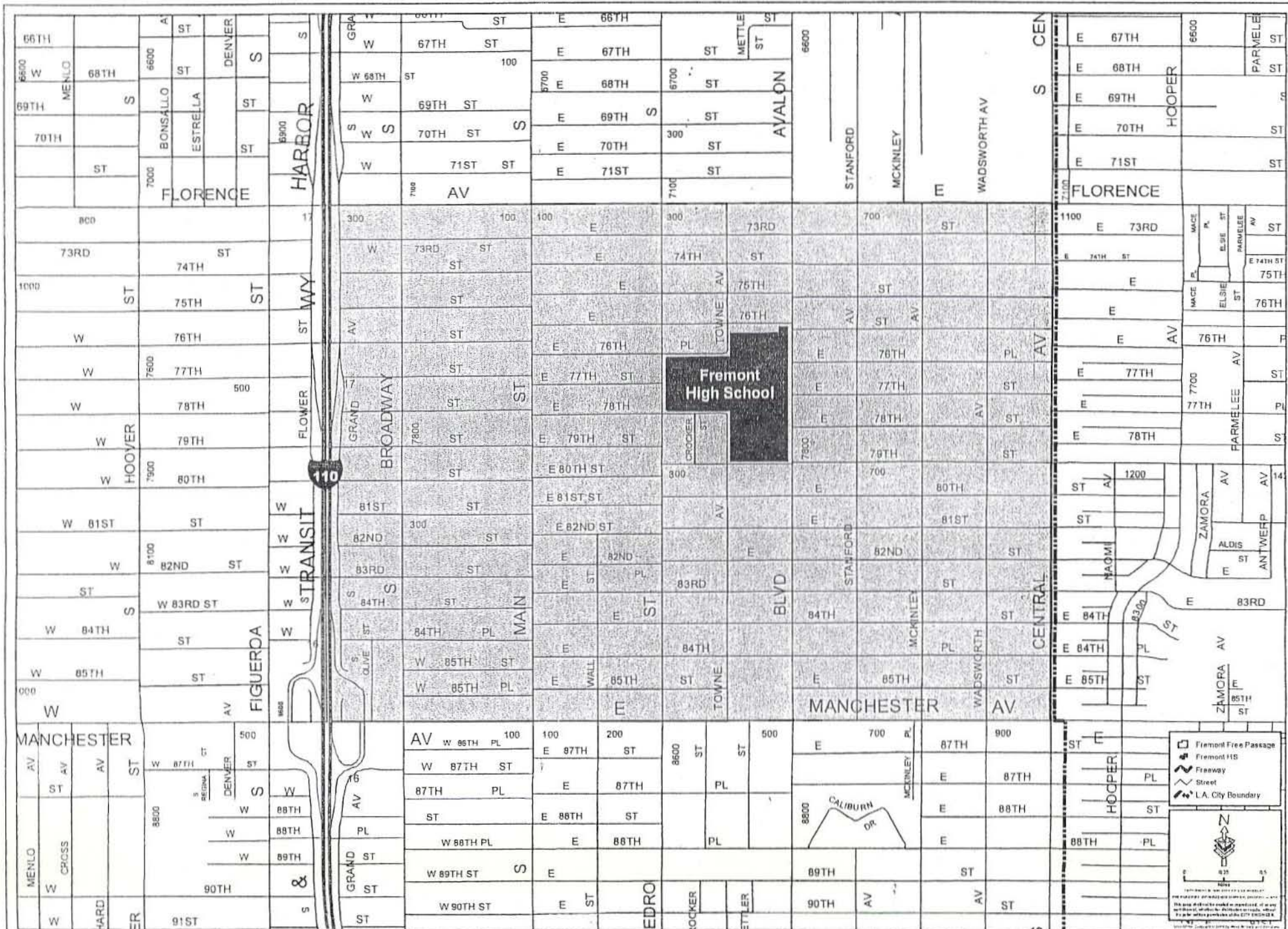
14 
15 Anthony V. Seferian
16 Deputy Attorney General
17 Attorneys for Plaintiff

18 DATED: June 11, 2009

19 PEOPLE OF THE STATE OF CALIFORNIA
20 ROCKARD J. DELGADILLO, CITY ATTORNEY
21 Jeffrey B. Isaacs, Chief Assistant City Attorney
22 Bruce Riordan, Senior Assistant City Attorney
23 Anne C. Tremblay, Assistant City Attorney

24 By

25 
26 Kelly Huynh
27 Deputy City Attorney
28 Attorneys for Plaintiff



FLORENCIA 13



RAUL GARCIA, JR.



CHRISTOPHER
GONZALEZ



ERIC MAQUEDA



GIOVANNI MENDEZ



IRVIN MENDEZ



JUAN MIRANDA



HUGO PINEDA



ABEL ROSAS, JR.



JUAN TAMAYO

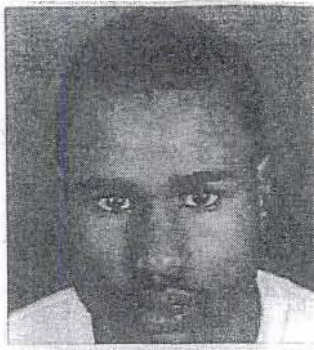


SAUL TAMAYO

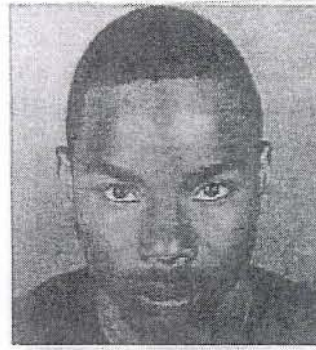
SWAN BLOODS



DERRICK BROWNING



DEMONTE DANIELS



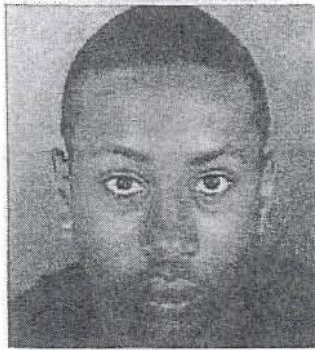
RAY GAMMAGE



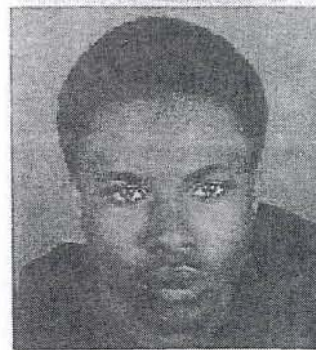
DEREK HALL



STEVE HAWKINS



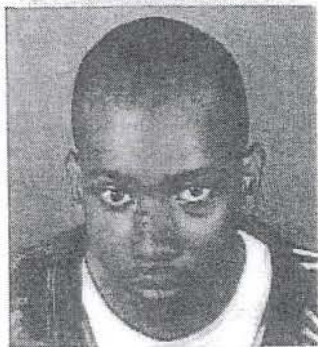
DAMIEN HENDERSON



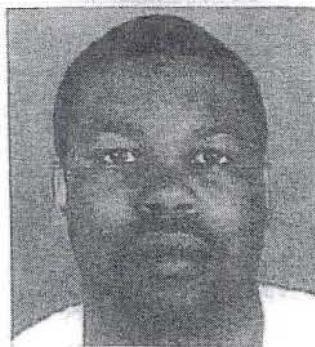
KIP HENRY



ANTONIO HERNANDEZ



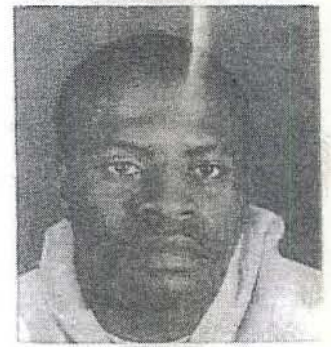
NYERERE JASE



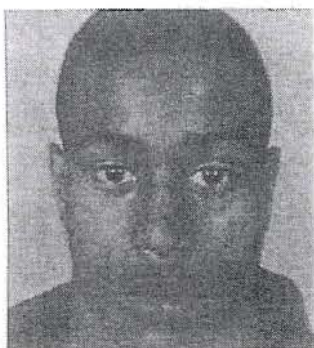
FLOYD LESLIE



CHARLIE MELCHOR



GERALD MORRIS



DEANDRE ROSS



DONALD TROTTER



MISTER YOUNG



TERRENCE WILLIAMS

MAIN STREET CRIPS



RONNIE BENNETT



TORRY BROWN



DANTE CALVIN



COURTNEY DANIELS



JERMAINE DURLEY



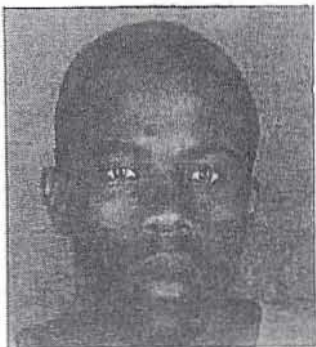
DIONDRE GREEN



CARLTON MAYHAM



STACEY MORGAN



WALTER PERKINS



DAVEON RAND

7-TREY HUSTLERS/ GANGSTERS CRIPS



ERVIN CAVITT



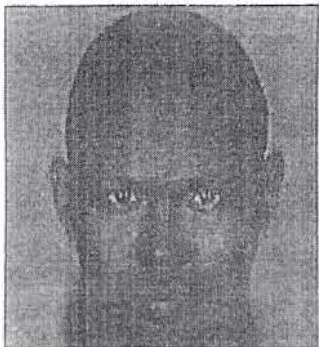
ALEX CLARK



YASMAINE CRADDOCK



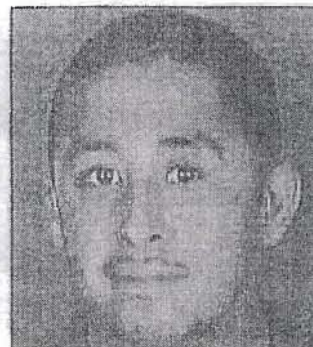
KWANZA GRIGSBY



DONTAE KELLY



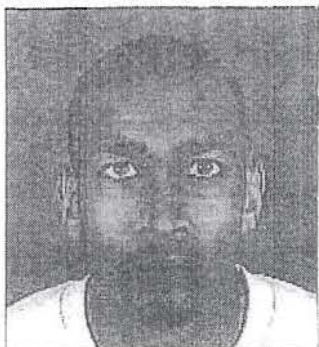
MAURICE LUSTER



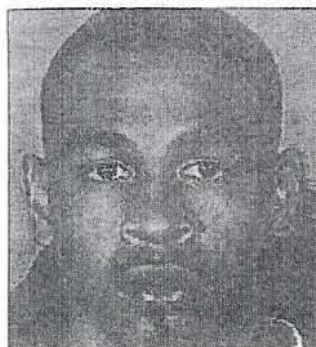
RICHARD MARCARIO



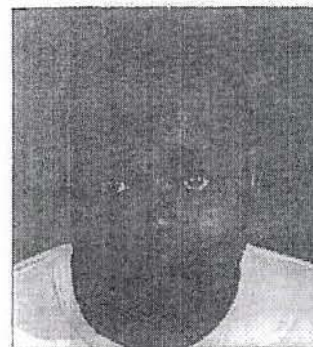
KENNETH MOORE



KENNETH NICHOLSON



NADIR PARKER



DIONE ROBINSON

