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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO CIVIL DIVISION

OCT 14 2011

By Robert Bruce
Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

THE PEOPLE OF THE STATE OF CALIFORNIA, ex. rel. MICHAEL A. RAMOS, District Attorney for the County of San Bernardino,

Plaintiff,

vs.

HUSTLA SQUAD CLICC (a/k/a the Hustla Squad Gang), a criminal street gang sued as an unincorporated association,

Defendant.

Case No.: CIVDS1109051

(Unlimited Civil Case)

JUDGMENT AFTER DEFAULT AND ORDER FOR PERMANENT GANG INJUNCTION; EXHIBIT

Assigned for all purposes to the Honorable David Cohn

Plaintiff, the PEOPLE OF THE STATE OF CALIFORNIA, *ex rel.* MICHAEL A. RAMOS, District Attorney for the County of San Bernardino (hereinafter, the "PEOPLE"), filed a complaint on July 27, 2011, seeking to abate the public nuisance of defendant, the HUSTLA SQUAD CLICC (a/k/a the Hustla Squad Gang), a criminal street gang sued as an unincorporated association (hereinafter, the "HUSTLA SQUAD CLICC"). The PEOPLE requested what is commonly known as a civil "gang injunction" against the HUSTLA

1 SQUAD CLICC, to apply in a proposed "Safety Zone." Default was duly entered against the
2 HUSTLA SQUAD CLICC on September 8, 2011.

3 In support of its cause of action and application for relief, the PEOPLE presented
4 evidence that included 42 declarations of various members of law enforcement which
5 incorporated numerous photographs depicting firearms seized from the gang, and the gang's
6 graffiti, hand signs, clothing, and tattoos; two Hustla Squad Clicc Crime / Public Nuisance
7 Incident Summary Charts summarizing the various criminal and public nuisance acts detailed
8 in the 42 law enforcement declarations; a proposed Safety Zone map; and 60 certified San
9 Bernardino County Superior Court records evidencing criminal court dispositions for various
10 criminal acts of 31 gang members who had been described in the 42 law enforcement
11 declarations and incident summary charts.

12 This Court has considered all papers filed in this action, including all supporting
13 declarations, motions, memoranda of points and authorities, and other evidence; the proposed
14 Safety Zone description and map; the deemed admissions of the HUSTLA SQUAD CLICC;
15 and the arguments the PEOPLE have presented.

16 This Court has further considered the statutes and case law the PEOPLE have cited,
17 including Civil Code sections 3479 and 3480; Penal Code section 186.20 et seq.; *People ex*
18 *rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090; *People ex rel. Totten v. Colonia Chiques* (2007)
19 156 Cal.App.4th 1506; *People v. Englebrecht* (2001) 88 Cal.App.4th 1236; and *In re*
20 *Englebrecht* (1998) 67 Cal.App.4th 486.

21 After due consideration of the foregoing, this Court makes the following findings, and
22 judgment and order.

24 FINDINGS

25 **THIS COURT HEREBY FINDS** that clear and convincing evidence establishes that:

- 26 1. proper service was made on the HUSTLA SQUAD CLICC in this action;
- 27 2. the HUSTLA SQUAD CLICC failed to timely respond to the PEOPLE's

28 Complaint;

1 The Safety Zone, depicted on the map attached to this Order as "Exhibit 1" (which map
2 is incorporated herein by this reference), is designated as follows:

3
4 **THE SAFETY ZONE**

5
6 350 feet past the area within the following:

7 starting at the intersection of East Merrill Avenue and South Sycamore
8 Avenue;

9 then extending approximately 1.0 mile west on Merrill Avenue to the
10 intersection of West Merrill Avenue and South Cactus Avenue;

11 then extending approximately 0.5 miles north on South Cactus Avenue to
12 the intersection of South Cactus Avenue and West Rialto Avenue;

13 then extending approximately 1.2 miles west on West Rialto Avenue to
14 the intersection of West Rialto Avenue and North Maple Avenue;

15 then extending approximately 1.0 mile north on North Maple Avenue to
16 the intersection of North Maple Avenue and West Etiwanda Avenue;

17 then extending approximately 1.3 miles east on West Etiwanda Avenue to
18 the intersection of West Etiwanda Avenue and North Cactus Avenue;

19 then extending approximately 1.4 miles north on North Cactus Avenue to
20 the intersection of North Cactus Avenue and West Easton Street;

21 then extending approximately 1.0 mile east on Easton Street to the
22 intersection of East Easton Street and North Sycamore Avenue and, finally;

23 then extending approximately 2.9 miles south on Sycamore Avenue to the
24 starting point of the intersection of South Sycamore Avenue and East Merrill
25 Avenue;

26 inclusive, with portions of the City of Rialto, County of San Bernardino,
27 State of California, and the City of Fontana, County of San Bernardino, State of
28 California.

1 The permanent injunctive relief that shall apply to the HUSTLA SQUAD CLICC in the
2 Safety Zone is as follows:

3
4 **INJUNCTIVE RELIEF**

5
6 **A. DEFINITIONS:**

7 For purposes of this injunctive relief, and except where the context clearly
8 indicates a different meaning:

9
10 1. **“accessible to the public”** shall mean any place that is open to the
11 public, or easily approached or entered by the public;

12
13 2. **“emergency”** shall mean a combination of circumstances or the
14 resulting state that calls for immediate action that is not brought about through
15 the purposeful and insidious or unlawful action or inaction of an enjoined party,
16 and includes, but is not limited to, a fire, a natural disaster, an automobile
17 accident, or any situation requiring immediate action to prevent serious bodily
18 injury or loss of life;

19
20 3. **“establishment”** shall mean any privately-owned place of business
21 operated for profit to which the public is invited including, but not limited to,
22 any restaurant, bar, or place of amusement or entertainment;

23
24 4. **“legal guardian”** shall mean a person who, under court order, is
25 declared the guardian of the person of a minor, or a public or private agency
26 with whom a minor has been placed by a court;

1 5. “**minor**” shall mean any person under eighteen years of age who is not
2 either fully emancipated in accordance with the Family Code or legally married;

3
4 6. “**non-minor**” shall mean any person eighteen years of age or older, or
5 any person either fully emancipated in accordance with the Family Code or
6 legally married;

7
8 7. “**operator**” shall mean any individual, firm, association, partnership, or
9 corporation owning, operating, managing, or conducting any establishment, and
10 includes the members or partners of an association or partnership, and the
11 officers and employees of a corporation;

12
13 8. “**parent**” shall mean a person who is a natural parent, adoptive parent,
14 or step-parent of an enjoined party;

15
16 9. “**public place**” shall mean any place open to common or general use,
17 participation, or enjoyment by the public (*In re Zorn* (1963) 59 Cal.2d 650,
18 652); any place the public has a right to go and to be (*People v. Belanger* (1966)
19 243 Cal.App.2d 654, 657); and any location open and accessible to all those
20 who wish to go there rather than a place the general public frequents (Pen.
21 Code, § 647, subs. (a) & (f), CALCRIM § 1161, *People v. Perez* (1976) 64
22 Cal.App.3d 297, 301), and includes, but is not limited to, hospitals, transport
23 facilities, libraries, theaters, parks, stores, shops, malls, bars, restaurants,
24 parking lots, parking structures, streets, avenues, boulevards, roads, driveways,
25 highways, sidewalks, walkways, alleys, pools (including public pools,
26 association pools, community pools, or apartment pools), common areas of
27 schools, and common areas of apartment buildings, including internal and
28 external hallways, and municipal buildings including fire and police stations;

1 (b) This provision shall not apply when an enjoined party is inside a
2 licensed school attending class or conducting school business, or is
3 inside a legitimate church or religious institution for the purpose of
4 participating in a customary act of worship. Although nothing contained
5 in this provision prevents any enjoined party from utilizing a licensed
6 school bus for travel to or from a licensed school, this provision shall
7 apply to any and all association that could occur during such travel.
8

9 **2. Do Not Recruit, Help, Et cetera the Gang:**

10 Do not recruit, help, or encourage any person or entity to join, or commit
11 criminal or public nuisance acts with or on behalf of, the HUSTLA
12 SQUAD CLICC, including other gangs and members of other gangs.
13

14 **3. Do Not Intimidate, Threaten, Abuse, Et cetera:**

15 Do not intimidate, provoke, threaten, confront, annoy, challenge, assault,
16 batter, carry out acts of retaliation against, or harass anyone who, or any
17 entity that, has complained or may complain about the HUSTLA
18 SQUAD CLICC including, but not limited to, anyone or any entity
19 known to be a victim, witness, non-supporter, or supporter of the
20 HUSTLA SQUAD CLICC, including, but not limited to, through the
21 using of abusive language and racial slurs; the demanding, explicitly or
22 implicitly, to know anyone's gang affiliation; and the participating in the
23 "jumping in" or other rite of membership entry of any person into the
24 HUSTLA SQUAD CLICC.
25

26 **4. Do Not Possess, Use, Et cetera Weapons:**

27 Do not possess, use, transport, sell, or knowingly remain in the presence
28 of any ammunition, or weapon or explosive or destructive device

1 described under California law as dangerous, deadly, or illegal including,
2 but not limited to, any firearm, rifle, or gun, metal pipe, knife, dirk,
3 dagger, and metal knuckles, or any imitation or replica firearm, rifle, or
4 gun, or any incapacitant weapon that can be used for subduing a person,
5 including mace, pepper sprays, Tasers, and stun guns.

6
7 **5. Do Not Possess, Use, Et cetera Drugs:**

8 Do not unlawfully be under the influence of any controlled substance
9 described under California law, or unlawfully sell, manufacture, possess,
10 transport, or use any such controlled substance or related paraphernalia
11 including, but not limited to, rolling papers, smoking pipes, crack vials,
12 and syringes, including while within any vehicle or using any device for
13 transportation.

14
15 **6. Do Not Drink, Possess, Et cetera Alcohol:**

16 (a) Do not unlawfully consume or be intoxicated by alcohol, or
17 possess any open or unsealed container of any alcoholic beverage,
18 including while being within any vehicle or using any other device for
19 transportation.

20
21 (b) This provision shall not apply to the indoor possession of an open
22 container of an alcoholic beverage, or the consuming therefrom, when
23 the enjoined party is inside the premises of an indoor and duly-licensed
24 establishment that is legally permitted to serve or sell alcohol, such as a
25 restaurant or bar.

1 **7. Do Not Obstruct, Impede, Et cetera Others:**

2 Do not obstruct, impede, stop, or block any other person against that
3 person's will while in or on any public place or public place of passage,
4 whether the other person is on foot or in or on any vehicle, unless a
5 legitimate emergency so requires.
6

7 **8. Do Not Throw Items:**

8 Do not throw any item at any vehicle, animal, building, window, or
9 person with the intent to scare, threaten, injure, or otherwise cause
10 damage including, but not limited to, any rock, bottle, or brick.
11

12 **9. Do Not Disturb The Peace:**

13 Do not violate any state or local restriction aimed at the creation or
14 maintenance of excessive noise including, but not limited to, excessive
15 noise that is created from: the playing of loud music; the participation in
16 loud parties; or the operation or use of any vehicle with a roaring, non-
17 muffled, or modified-muffled engine, or with screeching tires, or for the
18 engaging in exhibitions of speed, or for the playing of music or emitting
19 of another sound that causes a vibration from a rhythmic bass component
20 of the sound player that is plainly audible from fifty feet away from the
21 vehicle.
22

23 **10. Do Not Litter:**

24 Do not litter, including, but not limited to, discarding cans, bottles,
25 cigarettes, or other waste other than into a proper waste receptacle.
26
27
28

1 **11. Do Not Damage, Vandalize, Et cetera Property, or Possess or Use**
2 **Graffiti Tools:**

3 Do not damage, vandalize, or deface in any way any building, fence,
4 wall, garage door, street sign, sidewalk, tree, pole, or vehicle, or any
5 other public or private property of another including, but not limited to,
6 through committing graffiti vandalism, or possess or use any marking
7 pen, spray paint, or other graffiti tool described in Penal Code section
8 594.2.

9
10 **12. Do Not Act as a Lookout:**

11 Do not keep watch or otherwise act as a lookout for, or warn anyone of,
12 the approach or presence of law enforcement, including a peace officer,
13 probation officer, parole officer, school officer, and code enforcement
14 officer, or any public official including a school official, or any public or
15 private security personnel employed by an owner, operator, or other
16 person or entity in control of the premises, or the approach or presence
17 of anyone during the attempted or completed commission of any crime,
18 public nuisance act, or violation of this order.

19
20 **13. Do Not Flee Authority:**

21 Do not flee from the lawful authority of law enforcement, including a
22 peace officer, probation officer, parole officer, school officer, and code
23 enforcement officer, or from any public official including a school
24 official, or from any public or private security personnel employed by an
25 owner, operator, or other person or entity in control of the premises.

1 **14. Do Not Use Or Display The Gang's Name, Signs, Or Symbols:**

2 (a) Do not use or display the gang's name, signs, or symbols, or any
3 derivatives thereof, to commit or promote any criminal or public
4 nuisance act;

5
6 (b) The HUSTLA SQUAD CLICC's name, signs, and symbols, and
7 any derivatives thereof, that this provision refers to includes, but is not
8 limited to: "HUSTLA SQUAD CLICC," "Hustla Squad," "Hustle
9 Squad," and "Hustla Squad Gang," or any gang sign or symbol
10 associated with the gang including, but not limited to: the dollar symbol
11 ("\$"); money bags, and other references to money and cash; the slogan
12 phrase "Squad Up," hand-signs including that resembling the commonly-
13 known "hang loose" hand-sign (where the pinky and thumb are extended
14 outward while the remaining fingers are folded downward into the
15 palm); the letters "HSC" and "HSG"; a combination of letters and the
16 dollar symbol written as "H\$C" and "H\$G"; "H\$C" with the Roman
17 numeral 1 either intersecting or inside the "C," whether located on or
18 affixed to any personal property including, but not limited to, clothing,
19 ornaments, jewelry, cell phones, or books, or located on or affixed to any
20 real estate, or located on or affixed to one's body in the form of a hair
21 design or tattoo.

22
23 **15. No Trespassing:**

24 (a) Do not be present or remain on or in, or pass through the premises
25 of, any uninhabited or abandoned house, apartment, or other building,
26 whether public, private, or commercial in nature.

1 (b) Do not be present or remain on or in, or pass through the premises
2 of, any inhabited or occupied house, apartment, or other residential
3 building that is private property legally owned, operated, or leased by
4 others, except:

5 (i) with the prior written consent of the person in lawful
6 possession of the property; or

7 (ii) while in the presence, and with the voluntary consent, of
8 the person in lawful possession of the property.

9 (c) Do not be present or remain on or in, or pass through the premises
10 of, posted school grounds during school hours without first obtaining
11 written permission from the administrative office of the school or school
12 district unless, as to the specific school grounds, the enjoined person is
13 then an enrolled student, a teacher, a staff member, an employee, a
14 service provider, a vendor, a counselor, an approved volunteer, a parent
15 of a then-enrolled student at the school, or an attendee at a school event
16 open to the public and hosted on the school grounds being entered and
17 the enjoined person is only present, remaining on, or passing through
18 those area(s) specifically designated as publicly open for the purposes of
19 that event, or when the enjoined person is attending a function of
20 authorized groups pursuant to Education Code § 40040 et. seq., and
21 irrespective of the nature of the enjoined person's presence or remaining
22 on, or passage through, the posted school grounds, the enjoined person
23 complies at all times with all rules of the school.

24
25 (d) Notwithstanding anything else contained in this "no trespassing"
26 provision, if the premises or property at issue is, or pertains in any way
27 to, the following:
28

- 1 (i) the apartment complexes located at 210 North Beechwood
2 Avenue (the "Quail Ridge Apartments" also known as the
3 "Beechwoods" and the "Vineyards");
- 4 (ii) the apartment complexes located at 220 North Glenwood
5 Avenue (the "Renaissance Village Apartments" also
6 known as the "Glenwoods");
- 7 (iii) the apartment / townhome complexes located on the 200
8 block of North Spruce Avenue (the "Spruce Gardens"); or
- 9 (iv) the apartment / townhome complexes located on the 300
10 block of North Spruce Avenue and along the 900 and 1000
11 block of West Lorraine Place (the "Townhouse Villages");

12 then, do not be present or remain on or in, or pass through, any part of
13 such premises or property without the prior written permission of the
14 legal owner or operator of the property, or the owner's or operator's
15 legal agent, unless:

- 16 (A) the enjoined person is a legal resident of the
17 premises or property whose name is specifically
18 listed as such on a written lease or other rental
19 agreement entered into with, and maintained by,
20 the legal owner or operator of the property, or the
21 owner's or operator's legal agent; or
- 22 (B) the enjoined person is visiting his or her own
23 mother, father, sibling, grandparent, legal guardian,
24 or spouse, or is visiting the co-parent of any
25 biological child, and the person or persons being
26 visited is a legal resident of the premises or
27 property whose name is specifically listed as such
28 on a written lease or other rental agreement entered

1 into with and maintained by the legal owner or
2 operator of the property, or the owner's or
3 operator's legal agent, and a legal resident being
4 visited accompanies the enjoined person at all
5 times while the enjoined person is visiting on the
6 premises or property.
7

8 **16. Obey Curfew:**

9 (a) If a minor, do not be present or remain on the premises of or in
10 any public place, or establishment open to the public, or any vacant lot,
11 between the hours of 9:00 PM on any day to 5:00 AM the following day,
12 unless:

- 13 (i) accompanied by a parent, legal guardian, or non-minor
14 spouse; or
15 (ii) performing an errand directed by a parent, legal guardian,
16 or non-minor spouse; or
17 (iii) without detour, delay, or stop, going directly to or
18 returning directly from, or being actively engaged in, a
19 scheduled public meeting or entertainment activity (such
20 as movie, play, worship service, sporting event, dance, or
21 school activity) or some legitimate business, trade,
22 profession, or occupation requiring such presence.
23

24 (b) If a non-minor, do not be present or remain on the premises of or
25 in any public place, or establishment open to the public, or any vacant
26 lot, between 12:01 AM and 5:00 AM of the same day, unless, without
27 detour, delay, or stop, going directly to or returning directly from, or
28 being actively engaged in, a scheduled public meeting or entertainment

1 activity (such as movie, play, sporting event, dance, or school activity) or
2 some legitimate business, trade, profession, or occupation requiring such
3 presence.
4

5 **17. Obey All Court Orders, Laws, Et cetera:**

6 Do not disobey any applicable court orders and all laws, ordinances, and
7 municipal codes, including federal and state laws, San Bernardino
8 County ordinances, and the Rialto Municipal Code.
9

10 **C. SEVERABILITY:**

11 If any specific portion of a provision of this injunctive relief, or the application
12 thereof to any enjoined person or circumstances, is found at any time to be
13 invalid for any reason, only the invalid portion of the provision shall be
14 specifically disregarded, and such invalidity shall not nullify, affect, or impede
15 the binding nature of the entirety of, or any other provision or portion of a
16 provision of, this injunctive relief and, to this end, the specific portions of the
17 provisions of this injunctive relief are declared severable. If any provision in
18 this injunctive relief, or the application thereof to any enjoined person or
19 circumstances, is found at any time to be invalid for any reason, only the invalid
20 provision shall be specifically disregarded, and such invalidity shall not serve to
21 nullify, affect, or impede the binding nature of the entirety or any other
22 provision of this injunctive relief and, to this end, the provisions of this
23 injunctive relief are declared severable.
24
25

26 Dated: OCT 14 2011

27 /s/ DAVID COHN
28 DAVID COHN
Judge of the Superior Court

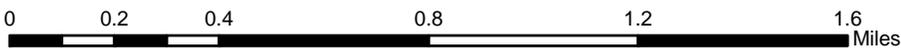
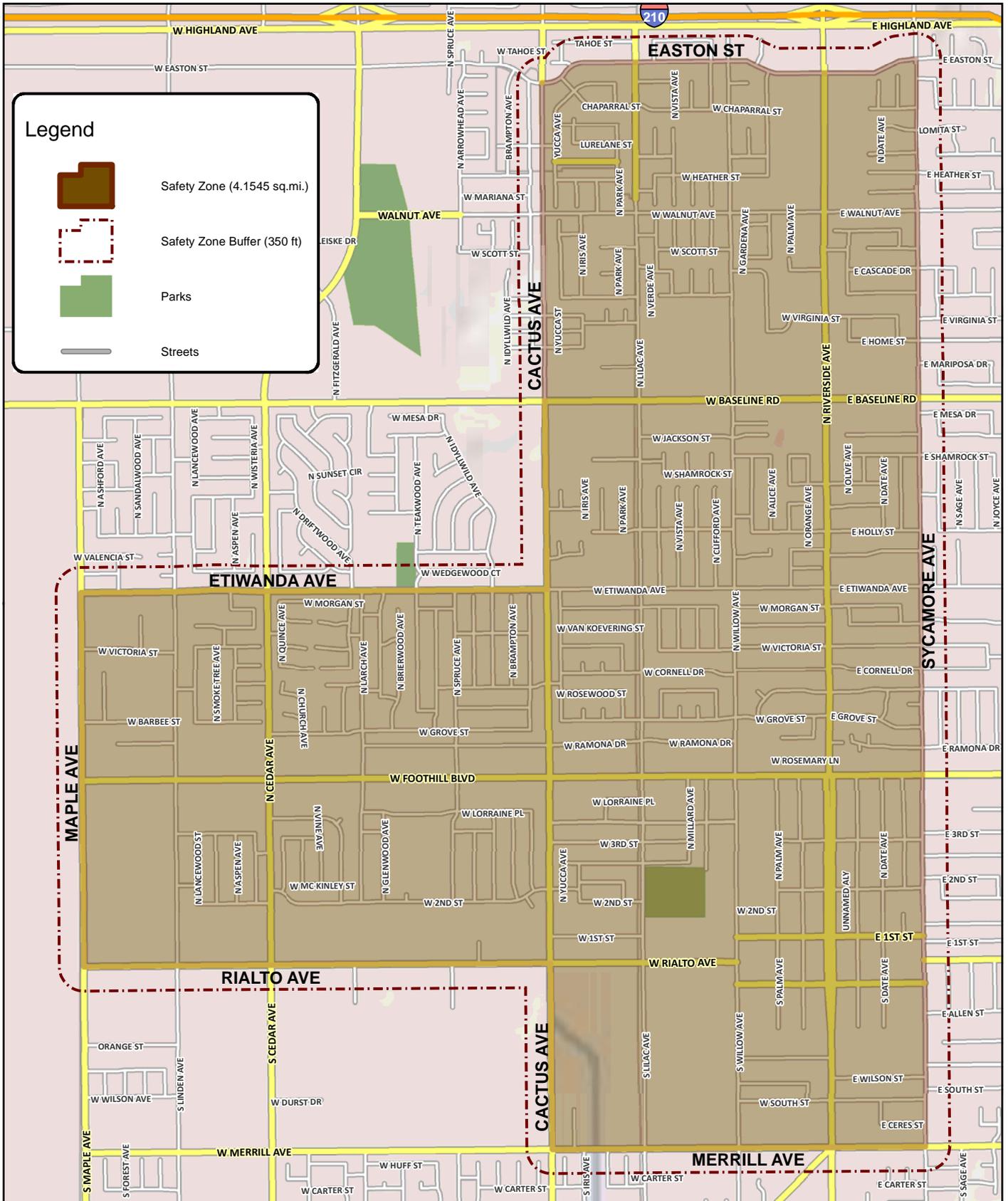
EXHIBIT A



Safety Zone Map

Injunction Against the "Hustla Squad Clicc"

Rialto, California



RPD/CAU/JK
Date: 01/06/11

