

FAQs

General Background on Gang Injunctions and the City of Los Angeles's Current Enforcement

What are gang injunctions?

Gang injunctions are orders issued by a court in a civil lawsuit brought by the City that prohibit individuals who are “active members” of a gang from doing certain activities in a specific neighborhood or area known as a “Safety Zone.” The injunctions have terms that prohibit people from against doing activities that are already illegal—like fighting—as well as everyday activities that would otherwise be perfectly legal, such as associating with others police claim are “known gang members” (including family members), drinking alcohol in public view, or possessing ordinary objects such as highlighters or cell phones. If someone is required to obey a gang injunction they can be arrested if they violate these terms, charged with a crime, and if found guilty can be punished with fines or jail time.

How do I know if I am on a gang injunction?

The City has gang injunctions against about 72 gangs throughout Los Angeles. You can see a map of the different “Safety Zones” and a list of all the gangs [here](#). As of 2016 about 9,000 people were on LA City gang injunctions.

There are two ways to be “put on” an injunction. If your name was on the original complaint filed by the City seeking a gang injunction and you were named as a defendant in that case, then you are a “named party” on the injunction and the injunction applies to you. If that is how you were put on an injunction you are NOT a member of our class, and the injunction may still apply to you.

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**FOR THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN THE COUNTY OF LOS ANGELES (CENTRAL DISTRICT)**

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

vs.

5th & HILL aka 5 HILL aka 5H aka
CINCO LOMA, a criminal street gang
sued as an unincorporated association;
JESUS [REDACTED] (Nene);
EVERADG [REDACTED] aka
EVERADG [REDACTED] (Flash);

Case No.: BC380877

**JUDGMENT GRANTING PERMANENT
INJUNCTION, AWARDED
DAMAGES AND ASSESSING CIVIL
PENALTIES AGAINST 5th & HILL aka 5
HILL aka 5H aka CINCO LOMA, a criminal
street gang sued as an unincorporated
association; JESUS BARCENAS (Nene);
EVERADO BAUTISTA aka EVERADO
OSORIO (Flash); ADOLFO CATALA
(Ghost, Loco); ALEX/ALEJANDRO
DELATORRE (Looney, Toro); JESUS**

The second way that many people were “put on” an injunction was if an LAPD officer handed or “served” you with a copy of a gang injunction and told you that a gang injunction applied to you. If you were “put on” the injunction this way—around 9,000 people were—then you are a member of the plaintiff class in this lawsuit, and this all applies to you. The City has stopped this practice, and in 2017 or 2018 you may have received a letter from the City telling you that you were off of the gang injunction or that the City would not enforce the gang injunction’s terms against you.

Is the City of Los Angeles currently enforcing gang injunctions?

No. The City of Los Angeles is not currently enforcing its existing gang injunctions against anyone that was just given a copy of the gang injunction. That means that you cannot be arrested for not following the gang injunction’s terms—although you can still be arrested for violating the law. It may still be enforcing its injunctions against people who were initially named as defendants in the gang injunction lawsuit.

Note: Gang injunctions in Los Angeles County or other surrounding areas are still being enforced. If you have questions about whether the injunction against you is still being enforced, please contact ACLU SoCal at (213) 201-8933.

Proposed Settlement

Who does the settlement apply to?

The attorneys in this case, along with the Youth Justice Coalition and the named plaintiffs brought this class action lawsuit on behalf of anyone who was put on a gang injunction by the LAPD or City of Los Angeles only by being given a copy of a gang injunction and told that they had to obey its terms. If that description applies to you, you may be a member of this class and this settlement applies to you. This settlement does not apply if you were subject to an LA City gang injunction but were listed as a defendant on the original complaint or given the opportunity to challenge the City’s claim that you were an active gang member.

If you are not sure if you were on an LA City gang injunction, you can contact the ACLU of Southern California at (213) 201-8933 or via email at LAganginjunctions@aclusocal.org and we can find out if the City included you on its gang injunction list.

What gang injunctions are impacted by the settlement?

This settlement only affects gang injunctions in the City of Los Angeles. The settlement does **not** affect injunctions outside the City of Los Angeles, including those in other cities in the County of Los Angeles (such as Long Beach), injunctions in unincorporated areas in the County of Los Angeles brought by the County. You can see the list of injunctions [here](#).

Where can I find the terms of the proposed settlement?

You can find the terms by reading the full [Settlement Agreement](#), or the [Notice of Settlement](#) which describes the settlement.

In summary, the proposed settlement requires that the City permanently stop the practice of handing copies of gang injunction orders to people the City or LAPD claim are “active gang members” and then arresting them if they do not follow the injunction’s rules. As a result of this settlement, if the City wants to subject you to a gang injunction, it will have to first ask a state court to find that you are a gang member, and as part of this process it will have to give you all of the evidence that it is using to argue to the court that you are an active gang member. You will also be able to challenge the City’s claims and evidence and present your own evidence.

This is only a summary of the proposed settlement. You should look at the complete Settlement Agreement or Notice of Settlement for a complete description.

Does the proposed settlement entitle me to any money?

No. The settlement does not entitle you or any member of the Plaintiff Class to money damages (i.e., a cash payment).

What if I disagree with the proposed settlement? How do I object to the proposed class action settlement?

If you disagree with the proposed settlement, you may file an objection. The court will consider all objections before it decides whether to approve the settlement in this case.

If you want to file an objection please mail a statement explaining your objection to the settlement no later than April 12, 2021. You cannot object after that deadline has passed. Even if you object, you are not able to “opt out” of the settlement if the court approves it.

Directions on how to object are detailed in the [Notice of Settlement](#).

What if I agree with the proposed settlement?

If you agree with the settlement you do not have to do anything for it to apply to you. If you would like to submit a statement in support, you may send it to:

Youth Justice Coalition Plaintiffs’ Counsel
c/o ACLU of Southern California
1313 W. 8th Street
Los Angeles, CA 90017

When will the court decide whether to approve the proposed settlement?

The Court will hold a hearing about this settlement on **May 31, 2021 at 2pm**. The hearing date may change. Please check any of the websites listed above close to the date of the hearing for information about any possible change in the hearing date. The Court gets to decide whether to allow members of the Plaintiff Class objected to this settlement to speak at the hearing.

The address for the court is:

U.S. Federal District Court, Courtroom 8A (8th floor)
350 West 1st Street
Los Angeles, CA 90012