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## **L.A. CITY ATTORNEY ROCKY DELGADILLO SEEKS GANG INJUNCTION AGAINST DOWNTOWN'S FIFTH & HILL CRIMINAL STREET GANG**

*Innovative Injunction Provisions Seek to Curb Criminal Enterprise of Heroin  
Sales by Gang Members and Associates in Historic Core*

**LOS ANGELES** – Los Angeles City Attorney Rocky Delgadillo, the City's chief prosecutor, today announced his office's Anti-Gang Unit has filed a civil lawsuit seeking a preliminary injunction restricting the criminal activity of the Fifth & Hill Gang and their narcotics associates in the historic core of the City's downtown area.

"For too long, the Fifth & Hill Gang has been able to coordinate and manage a deadly heroin syndicate right here in Downtown Los Angeles," said City Attorney Delgadillo. "My office will continue to use creative strategies in our gang injunctions and work closely with our partners in law enforcement to break up this criminal enterprise and put this gang and its associates out of business for good."

Filed in Los Angeles Superior Court, the proposed gang injunction would severely restrict the ability of the gang to commit criminal and nuisance activity including the sale of heroin and other narcotics within the established downtown Safety Zone as defined within the boundaries of 2nd Street to the North, San Pedro Street to the East, 9<sup>th</sup> Street to the South and Olive Street to the West. At the core of the Safety Zone is the northeast corner of Pershing Square, at which 5<sup>th</sup> & Hill Streets converge.

Terms of the proposed injunction include many of the standard gang injunction provisions, including limiting the gang's ability to associate in public with other members, intimidate witnesses, to sell or possess drugs, or to possess weapons or graffiti tools.

A unique provision of the injunction will also include similar restrictions on the gang's "Heroin Sales Surrogates and Associates" - defined as anyone arrested twice for possession for sales, or sales where the alleged controlled substance was heroin, and the arrest occurred within the established Safety Zone. Because the 5<sup>th</sup> & Hill Gang uses non-gang members to move its product, the proposed gang injunction includes restrictions on the gang's "Heroin Sales Surrogates and Associates" as well as on the gang's members themselves.

The injunction – filed by Gang Division Prosecutor Jim McDougal – includes declarations from law enforcement officials regarding the long-standing criminal activity of the Fifth & Hill Gang located within the historic core of Downtown Los Angeles.

The gang is turf-based and is known to have a monopoly on heroin sales in Downtown Los Angeles. A vast majority of crimes committed within the Safety Zone including graffiti and assaults are related to heroin sales or business conducted by the gang.

“The Fifth & Hill Gang has been victimizing the downtown area for many years with its drug trafficking operations. Although traditional narcotic enforcement efforts and prosecutions have taken many of these traffickers off the street, the gang has proved very resilient and continues its organized crime activities,” said Deputy Chief Sergio Diaz, Commanding Officer at the LAPD’s Operations-Central Bureau. “The LAPD and the City Attorney recognize that the gang’s drug trafficking operations largely depend on being able to congregate at specific locations in the Central Area and supervise the transportation and distribution of drugs. We believe that this gang injunction will be a valuable tool, in conjunction with other enforcement, prosecutorial and prevention measures to address the violence and lawlessness that this group inflicts on our city.”

Gang injunctions have been found to be extremely useful in reducing criminal activity in Safety Zones. Crucial components in aiding the effectiveness of gang injunctions include mandatory sentencing enhancements for gang members who violate the terms of their injunctions, innovative probationary conditions, and a partnership with L.A. County Sheriff Lee Baca to ensure gang members jailed for injunction violations serve their full terms. Gang enhancements on several recent convictions resulted in sentences between 270 and 725 days in jail.

Working in conjunction with injunctions, Delgadillo has also proposed a larger anti-gang legislative package as a part of his comprehensive anti-gang plan. Assembly Bill 1031, which provides city prosecutors and City Attorneys in certain cities with greater leverage to evict housing tenants who are either in possession of illegal weapons or are illegally possessing weapons and ammunition, and Senate Bill 271, which allows City Attorneys to bring damage suits against, and seize the assets of, known gang members, have already been signed into law by Governor Schwarzenegger.

Other proposed legislation would add hate crimes to the Street Terrorism and Enforcement Protection Act (SB 989 – Ridley-Thomas); legislation that would allow out-of-court statements to become admissible when gang members take action to stop witnesses from testifying in court (AB 268 – Calderon); legislation that would add sentencing enhancements for gang activity near schools (SB 844 Calderon); and legislation that would allow for prosecution for gang recruitment of minors (AB 1033) – Caballero).

Since taking office in July 2001, Delgadillo has utilized injunctions as an effective tool for law enforcement and prosecutions, adopting and adapting conditions specific to each gang increased the number of gang injunctions from eight to 34, covering more than 50 gangs and more than 61 square miles of claimed gang territory in Los Angeles. In addition, LAPD reports cite a 33 percent decline in gang membership since 2001.

A Preliminary Injunction Hearing for the proposed Fifth & Hill Gang Injunction has been set for February 5, 2008.

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