

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

If you were served with any of these gang injunctions, your rights may be affected, and you may have a right to receive benefits under a class action settlement

Los Angeles County Superior Court Case Numbers	
<ul style="list-style-type: none"> • BC397522 (6 Gang) • BC332713 (10 Gang) • BC305434 (18th Street-Hollywood) • BC313309 (18th Street-Wilshire) • BC319166 (38th Street) • BC326016 (42nd Street, 43rd Street, & 48th Street Gangster Crips) • BC287137 (Avenues) • BC335749 (Big Hazard) • LC020525 (Blythe Street Gang) • BC267153 (Canoga Park Alabama) • BC358881 (Clover, Eastlake & Lincoln Heights) • SC056980 (Culver City Boys) • BC359945 (Dogtown) 	<ul style="list-style-type: none"> • NC030080 (Eastside Wilmas Gang & Westside Wilmas Gang) • BC330087 (Grape Street Crips) • BC359944 (Highland Park) • BC282629 (KAM) • LC048292 (Langdon Street Gang) • BC311766 (Mara Salvatrucha) • BC351990 (Playboys) • BC298646 (Rolling Sixty Crips) • BC349468 (School Yard Crips & Geer Street Crips) • BC319981 (Varrío Nuevo Estrada) • SC060375 (Venice 13) • SC057282 (Venice Shoreline Crips) • BC353596 (White Fence)

A federal court authorized this notice. This is not an advertisement from a lawyer. You are not being sued or restrained.

The settlement will provide these benefits:

- Education, job training, job placement services, or services to support you in your current job, for you or a close family member, with a monetary stipend available for certain portions of the training;
- An expedited process for you to apply to get off the gang injunction;
- Tattoo removal services; and
- Stopping the LAPD from enforcing certain provisions of the injunctions.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
OBJECT IN WRITING AND, IF YOU WISH, GO TO A HEARING	Write a letter about why you don't like the settlement and submit it no later than October 27, 2016. If, but only if, you submit a written objection, you may also speak up at the Fairness Hearing on December 2, 2016.
DO NOTHING NOW AND SUBMIT REQUESTS FOR EDUCATION AND JOB TRAINING, TATTOO REMOVAL, AND/OR REMOVAL FROM THE GANG INJUNCTION IF AND WHEN THE SETTLEMENT IS APPROVED	If you do nothing, the Court will consider the fairness of this settlement agreement on December 2, 2016 at 10:00 a.m. If the settlement is approved, then you will be given notice of your rights to participate in a jobs and education program, obtain tattoo removal, and request to be removed from the gang injunction. At that time, you will need to send in forms requesting participation in the settlement.

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- These rights and options—and the deadlines to exercise them—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the settlement. The jobs and education program, tattoo removal services, and the process to be removed from the injunction will begin if the Court approves the settlement and after any appeals are resolved. You will receive a further notice with instructions for taking advantage of those benefits if and when the Court approves the settlement. Please be patient.

I. BASIC INFORMATION

1. Why did I get this notice?

The LAPD’s records show that you were served with one or more of the gang injunctions in the following court cases prior to February 20, 2013:

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The Court sent you this notice because you have the right to know about a proposed settlement of a class action lawsuit, and about your options, before the Court decides whether to approve the settlement. If the Court approves the settlement, and after objections and appeals are resolved, the jobs and education program and gang injunction removal process will begin. You will be informed whether the settlement is approved or not.

This package explains the lawsuit, the settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the Central District of California, and the case is known as *Rodriguez et al v. City of Los Angeles*, Case No. 11-CV-01135. The Judge for the case is the Honorable Dolly M. Gee. The people who sued are called Plaintiffs, and the Defendants, who were the ones sued, included the City of Los Angeles, Carmen Trutanich, Charles Beck, and Angel Gomez.

2. What is this lawsuit about?

This lawsuit claims that the City of Los Angeles has served 26 gang injunctions with unconstitutional

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curfews on over 5,000 people. Specifically, the language contained in the injunctions that requires that people not go “outside” at specified times of the night unless they engage in unspecified “legitimate meeting or entertainment activit[ies]” has been determined by a California Court of Appeal to violate the California Constitution. More information about the case can be found at www.gangcase.com.

3. What is a class action and who is involved?

In a class action, one or more people, called Class Representatives, sue for themselves and for people who have similar claims. In this case, the Class Representatives are Christian Rodriguez and the Estate of Alberto Cazarez. The person who brought the case – and all the Class Members like them – are called Plaintiffs. In a class action, one court resolves the issues for all the Class Members. U.S. District Judge Dolly M. Gee is in charge of this class action.

4. Why is there a settlement?

Judge Gee decided that the City violated the constitutional rights of class members when it enforced the injunctions with the unconstitutional curfew provisions. She also decided that class members are not entitled to receive an automatic award of \$4,000 each for a violation of California law.

The case was set to go to trial. At trial, the class members were going to have to prove that they were harmed by the City’s enforcement of the unconstitutional curfew provision specifically, and not by the other provisions of the gang injunctions (such as the “do not associate” provision). A jury would have had to put a dollar figure on the amount of harm caused by the unconstitutional curfew provision. The lawyers for Plaintiffs determined that there was a big risk in going to trial: a jury could have decided that the injuries to the class members from the curfew provision were worth any amount of money – a few hundred dollars or a thousand dollars, for instance, or as little as one dollar. It is hard to quantify that injury in terms of money, so going to trial was a risk.

The lawyers for Plaintiffs determined that the up-to-\$30 million offer was a good deal for the class. They did not think it was likely that class members would receive that much money in damages from a jury.

II. WHO IS IN THE SETTLEMENT?

- 5.** To see if you can benefit from the settlement, you first have to determine if you are a Class Member. The Court has decided that all persons who have been served with any of the 26 gang injunctions listed above are members of this Class. In 2013, you should have received a notice asking you if you wanted to be part of the class or if you wanted to opt out of the class. If you were served with one of the injunctions mentioned above and if you did not opt out in 2013, then you can benefit from the settlement.

III. WHAT DO I GET FROM THE SETTLEMENT?

6. What does the settlement provide?

The settlement provides a number of different benefits: (a) a jobs and education program; (b) tattoo

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removal; (c) a process to apply to get off the injunction; and (d) new rules that the LAPD has to follow.

JOB TRAINING PROGRAM

7. What is the jobs and education program?

The jobs and education program is an individualized program that you can participate in. There are six phases to the program:

Phase I— Evaluation: First, you will be evaluated to figure out if you are ready for a job and have the necessary skills, or if you need more skills and education before you are ready for a job. You will work with a career counselor to develop an individualized service plan with structured goals.

If you and your career counselor decide that you would benefit from all Phases of the program, you will receive a stipend of \$500 after completing Phase II and another \$500 after you complete Phase III.

If you and your career counselor decide that you are ready for a job without additional training or education, you will skip to Phase IV. In that case, you will have access to up to \$1,000 to address barriers preventing you from getting a job or making it difficult for you to keep your current job. For example, the \$1,000 may be used to help you buy job-related apparel (such as work boots), tools you need for your job, or a Metro card to help you get to your job.

Phase II—Education: If you and your career counselor decide that you need additional education and training in order to meet your career goals, you will be offered all the courses you need to achieve the goals in your service plan, including tutoring, developing skills in reading and math, computer skills, financial skills, and others. You will take courses from professional educators, for instance at the Los Angeles Community College District or at LAUSD, as appropriate. You will also get counseling as needed on your career, legal issues, and other areas such as parenting.

Phase III— Job training: Participants will receive training in specific careers. Occupational careers training will include green programs such as transportation (hybrid and electric car repair) and construction (weatherization); and health care programs such as certified nurse assistant, home health aide, pharmacy technician, and medical coding and billing specialist occupations. If you are in a career that requires a certification (such as a nurse assistant), you will be offered preparation for that certification, which you will be able to use anywhere that it is accepted.

The Jobs and Education program will pay for any tuition costs over and above any grants that you can obtain for the education.

Phase IV—Subsidized Employment: Participants will be placed in a subsidized employment position with an employer in their chosen area of work. You will be paid at the City's minimum hourly wage for up to 400 hours. The expectation is that at the end of the 400 hours, the employer will hire you in a regular position. If that does not happen, you will be given help in finding a permanent job with the City, other public agency, or a job with a private employer.

Phase V—Financial Literacy: You will be provided with a financial literacy course addressing the fundamentals of budgeting, saving and credit management.

Phase VI—Employment: Those who complete subsidized work opportunities will be referred to City

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and other public sector employment opportunities including local targeted hiring programs, apprentice programs and vocational programs. If selected through a competitive employment process, these alternative pathway programs provide trainee opportunities leading to full-time civil service positions.

8. What if I already have a job?

If you have a job but you would like to change careers, you can use the jobs and education program.

If you are happy with your job and career, you can use the jobs and education program to access up to \$1,000 in job-related supportive services such as license or certificate fees, stipends for job-related specialized clothing or equipment, or transportation. You can also “upgrade” your skills so that you can get a promotion.

Alternatively, you can transfer the jobs and education program to a close relative: a child, parent, brother, sister, or spouse. Depending on how many people sign up for the program, you may be able to transfer the program benefit to an aunt, uncle, niece, nephew, or first cousin.

9. How do I apply for the job training program for myself or a relative?

Upon final approval of the settlement, a claim form will be mailed to you that you can fill out and return. Once your membership in the class is verified, a representative of the job training program will contact you or your relative to schedule an appointment for evaluation.

10. What if I am not authorized to work in the United States? Can I still benefit from the Jobs and Education Program?

A Class Member who is not authorized to work under federal law cannot participate in Phases IV and VI of the program if he or she does not meet the federal right-to-work requirements. But any Class Member or designated relative, regardless of citizenship status, can participate in all other phases of the jobs and education program.

TATTOO REMOVAL

11. Who can get tattoo removal?

Any class member can request tattoo removal, and it will be provided on a first-come, first-served basis until the full amount allocated has been used (\$150,000 per year for four years). The benefit can be in addition to or instead of any other benefit offered under this settlement. Just as with the job training program, you will need to submit a claim form to receive this benefit so your membership in the class can be verified and a representative can contact you. This benefit is for class members only and cannot be transferred to a relative.

PROCESS TO GET OFF THE GANG INJUNCTION

12. Who can apply to get taken off the gang injunction?

All class members can apply to get off the gang injunction. If you apply to get off the injunction and the City opposes your application, the City will have to prove beyond a reasonable doubt that you are currently a gang member at a special hearing. This benefit is for class members only and cannot be

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transferred to a relative.

13. Can I apply to get taken off the gang injunction even if I received job training or tattoo removal?

Yes. All class members are eligible to apply to be removed from the gang injunction.

14. How do I apply to be removed from the gang injunction?

You will be sent a form to fill out and return to a claims administrator, who will verify your eligibility and then send the form to Plaintiffs' counsel and the Los Angeles City Attorney's Office. The City will decide within 90 days of their receipt of the notice if it will take you off the gang injunction, or if it wishes to have a hearing in court about it. If the City does not respond to your request within 90 days, you can request a hearing before the Honorable Patrick J. Walsh, a federal magistrate judge. Judge Walsh will make a decision which will be binding on you. You will still be able to seek removal from the injunction through any other legal process including the City Attorney's gang injunction removal petition, but you must wait for one year after Judge Walsh's ruling before doing so.

15. Do I need a lawyer to apply to get off the gang injunction?

You do not need a lawyer, but you can have one if you want one. You will be able to bring your own lawyer, represent yourself, or have a lawyer provided to you for free by contacting Plaintiffs' counsel.

16. What will be considered to determine whether I get off the gang injunction?

For purposes of a gang injunction, a person is a member of a gang if he or she "is a person who participates in or acts in concert with an ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of acts constituting the enjoined public nuisance, having a common name or common identifying sign or symbol and whose members individually or collectively engage in the acts constituting the enjoined public nuisance. The participation or acting in concert must be more than nominal, passive, inactive, or purely technical." It is the City's responsibility to prove this in order to keep you on the gang injunction.

17. How long do I have to apply to get off the gang injunction?

You can apply any time starting the date the settlement becomes effective and for three-and-a-half years after that.

NEW RULES FOR THE CITY AND LAPD

18. What new rules will LAPD have to follow?

The City will stop enforcing the following provisions in each of the gang injunctions that are the subject of this lawsuit:

- Obey curfew
- Do not be in the presence of drugs
- Do not be in the presence of alcohol
- Obey all laws

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In addition, the City will not serve any of the gang injunctions that are the subject of this lawsuit unless each the following additional documents are attached:

- Notice that any of the above provisions that are contained in the injunction will not be enforced
- A petition for removal from the gang injunction
- A list of referrals for services to assist in leaving gang life

Finally, the City Attorney's Office will not prosecute any gang injunction curfew violations if someone is improperly arrested for such a violation.

IV. OTHER PAYMENTS IN THE SETTLEMENT

19. Is anyone getting money from this settlement?

The City has agreed to put \$20,000 into an account for the daughter of each of the Named Plaintiffs Christian Rodriguez and Alberto Cazarez for purposes of their education. They spent a considerable amount of time on this case working with the lawyers, giving testimony, appearing in court, and exposing themselves to public scrutiny. In addition, Alberto Cazarez is settling some of his individual claims against the City in addition to the class claims. The lawyers therefore believe it is fair that their families receive some compensation, and the Court will rule on these requests at the final hearing. The two payments will not come out of the fund for the jobs and education program.

20. What are the lawyers getting out of this settlement?

The City has agreed to pay the lawyers for the class for the value of their services and expenses, as determined by the Court. Even if the parties did not reach a settlement, attorney's fees may be awarded in federal civil rights actions such as this one. The case lasted for five years and class counsel estimates that there were between \$4.8 and \$9.6 million dollars in attorney's fees and \$100,000 in costs. The City will also pay to administer the settlement. These sums will not come out of any of the money set aside for the jobs and education program, the tattoo removal program, or other benefits provided to you and other class members. Some of the lawyers representing the class work for a non-profit law firm named Public Counsel, which depends on attorneys' fees to provide free legal services to people who cannot afford them. Hadsell, Stormer & Renick and Orange Law Offices need attorney's fees in order to be able to take important cases like this one.

V. OBJECTING TO THE SETTLEMENT

21. What if I do not like this settlement?

If you do not think this settlement is fair and reasonable, you can object to the settlement by sending a letter saying that you object to *Rodriguez v. City of Los Angeles*. Be sure to include your name, address, telephone number, your signature, and the reasons you object to the settlement. Mail the objection to:

Rodriguez v. City of Los Angeles Objections
c/o CAC Services Group
1601 Southcross Dr W
Burnsville, MN 55306

Your objection must be postmarked no later than October 27, 2016. You cannot object if you have

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already opted out.

If, but only if, you file an objection to the settlement agreement, you may also speak to the judge at the Fairness Hearing on December 2, 2016.

22. What should I include in an objection?

Objecting is simply telling the Court that you don't like something about the settlement. State the reasons why you do not like the settlement, and be sure to include your name, address, telephone number, and your signature.

VI. THE COURT'S FAIRNESS HEARING

23. When and where will the Court decide whether to approve the settlement?

The Court will hold a fairness hearing at 10:00 a.m. on December 2, 2016, at the United States District Court for the Central District of California, 350 W. First Street, Courtroom 8C, Los Angeles, CA. At this hearing, Judge Gee will consider whether the settlement is fair, reasonable, and adequate. If there are objections, Judge Gee will consider them. After the hearing, Judge Gee will decide whether to approve the settlement. We do not know how long this decision will take.

24. Do I have to come to the hearing?

No. Lawyers for the class will answer questions Judge Gee may have. You are welcome to come at your own expense. If you send an objection, Judge Gee will consider it. You don't have to come to court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

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