

**NOTICE REGARDING ENFORCEMENT OF CERTAIN
TOONERVILLE (TVR) GANG INJUNCTION PROVISIONS**

On March 18, 2009, in the case entitled *People of the State of California, ex rel. Rockard J. Delgadillo, as the City Attorney for the City of Los Angeles and Scott H. Howard v. Toonerville (aka TVR)*, Case No. BC401928, the Honorable Maureen Duffy-Lewis signed the Judgment Granting Permanent Injunction in favor of People of the State of California, et al. and against Toonerville. In connection with this judgment, the City of Glendale Police Department has issued clarifications for enforcement of certain provisions in the injunction. The specific provisions and clarifications are set forth below.

I. TVR Curfew Provision

The curfew provision in the TVR Injunction prohibits properly served TVR gang members from:

“Being present in public view, in a public place or in any place accessible to the public, between the hours of 10:00 p.m. on any day and 5:00 a.m. of the following day, unless (1) going directly to, returning directly from, or actively engaged in a legitimate business, trade, profession or occupation requiring the enjoined person’s presence, (2) going directly to, returning directly from, or actively engaged in a lawful, non-gang related entertainment event, or (3) actively involved in a legitimate emergency, such as a fire, natural disaster, automobile accident or situations that requires immediate action to prevent serious bodily injury or loss of life. For purposes of this provision, “entertainment event” means an amusement activity that occurs at a commercial establishment and includes only events for which admission is charged, such as movies, plays, public performances or sporting events[.]”

The following definition for “public place or place accessible” shall apply when considering enforcement action based on this prohibition.

The phrase “public place or place accessible to the public” means any place to which the public has access, including but not limited to public property, sidewalks, alleys, streets, highways, parks, the common areas of schools, hospitals, office buildings, and transport facilities.

Further, a person in public view shall only be in violation if he or she is also in a public place or in any place accessible to the public.

II. Stay Away From Drugs Provision

The stay away from drugs provision prohibits properly served TVR members from:

“(1) Selling, transporting, possessing, or using, without a prescription, any controlled substance or marijuana, or such drug-related paraphernalia, including, but not limited to rolling papers and pipes used for illegal drug use, or (2) knowingly remaining in the presence of anyone selling, transporting, possessing or using, without a prescription, any controlled substance or marijuana, or such drug-related paraphernalia, or (3) knowingly remaining in the presence of any controlled substance or marijuana, or such drug related paraphernalia.”

Officers shall not enforce subparagraph (3) in situations where an individual is in a pharmacy, market, store or any other location where prescription drugs are lawfully sold.

III. Stay Away From Alcohol Provision

The stay away from alcohol provision prohibits properly served TVR members from:

“Drinking or possessing an opened container of an alcoholic beverage in public view, in a public place or in any place accessible to the public.”

This provision shall not be enforced in restaurants or bars or other location open to the public where alcohol is lawfully served and/or sold.

Any questions regarding the above may be directed to AB109 Unit or the City Attorney’s Office.