



COUNTY OF YOLO
OFFICE OF THE DISTRICT ATTORNEY
JEFF W. REISIG, DISTRICT ATTORNEY

PRESS RELEASE

FOR IMMEDIATE RELEASE

Judge Reinstates Gang Injunction Against Broderick Boys

Woodland, CA — December 30, 2007 — A Yolo County Superior Court Judge has re-issued a permanent injunction against specific members of the Broderick Boys criminal street gang operating in West Sacramento, CA. Judge Timothy Fall issued the permanent injunction against nine Broderick Boys gang members on December 19, 2007. The court order creates a “Safety Zone” in the City of West Sacramento in which the named members are prohibited from associating with other gang members in public, trespassing, possessing weapons, possessing graffiti tools, possessing drugs and/or alcohol and/or intimidating witnesses. The named members are also subject to a curfew within the Safety Zone from 10 p.m. until sunrise.

A hearing to determine if a similar preliminary injunction should be issued against other Broderick Boys gang members, and the gang as an independent entity, is currently set for January 31, 2008, at 9:00 a.m. in Department 7 of the Yolo County Superior Court.

Previously, in April of this year, an appellate court overturned a similar injunction against the Broderick Boys because of technical defects it found in the legal procedure used to sue the gang as an “unincorporated association.” The court also noted that, under the circumstances of the case, the notice given to the gang was not sufficient. This most recent injunction is a result of an amended civil lawsuit filed against members of the Broderick Boys gang by the Yolo County District Attorney on behalf of the City of West Sacramento. Unlike the previous court order, this new gang injunction names specific individual gang members, all of whom were given legal notice of the action and the opportunity to contest it in court.

In commenting on the new injunction, District Attorney Jeff Reisig stated: “It is impossible to ignore the devastating impact gang activity has in our communities. An effective response must focus on prevention, intervention, education and enforcement. In the big picture, gang injunctions are merely part of this equation. However, when sanctioned and monitored by the courts, gang injunctions are a lawful and powerful tool that responsible civic leaders should consider in appropriate situations. By persistently pursuing this case, City leaders have demonstrated their commitment to public safety in West Sacramento.”

For more information contact: Deputy District Attorney Jay Linden (530) 666-8180

By E. ENDO
Deputy

1 JEFF W. REISIG
YOLO COUNTY DISTRICT ATTORNEY
2 By: Jay S. Linden-179276
Deputy District Attorney, Gang Violence Suppression Unit
3 301 Second Street
Woodland, CA 95695
4 (530) 666-8180

5 Attorneys for Plaintiff,
People of the State of California
6

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **COUNTY OF YOLO**
9

10 **PEOPLE OF THE STATE OF CALIFORNIA, ex)**
11 *rel.* Jeff W. Reisig, as the)
12 **District Attorney for the County of Yolo,**)
13 **Plaintiff,**)

14 **vs.**)

15 **BRODERICK BOYS aka BRK aka BSK aka)**
16 **NORTENO aka NORTE aka XIV, a criminal)**
17 **street gang and its members sued as an)**
18 **unincorporated association; TIMOTHY ACUNA)**
19 **(Cartoon), THOMAS CEDILLO, VICTOR)**
20 **DAZO, JR (Little Vic), ALEX ESTRADA)**
21 **(Otter), RAMON ESQUILIN (Kiko), JESSE)**
22 **GARCIA (Smokey), MICHAEL HERNANDEZ)**
23 **(Snoopy), RAINEY MARTINEZ, WILLIAM)**
24 **MCFADDEN (Billy), ROBERT MONTOYA)**
25 **(Little Rob), MICHAEL MORALES, RUDY)**
26 **ORNELAS, GUILLERMO DUKE ROSALES)**
27 **(Duke), ROBERT SANCHEZ (Rabbit), PAUL)**
28 **SAVALA (Savage), RUDY TAFOYA (Rude)**
Dog), ABEL TREVINO (Gangster), FELIPE)
VALADEZ JR. (Shug), BILLY WOLFINGTON)
(Bouncer), and TYSON YBARRA, all as)
individuals; and DOES 1 through 400, inclusive,)

Defendants.)
_____)

Case No. CV04-2085

[PROPOSED] JUDGMENT
GRANTING PERMANENT
INJUNCTION AGAINST VICTOR
DAZO

Hearing Date: None set per CCP §585(d)
Hearing Time:
Department: 2
Action Filed: December 30, 2004
Trial Date: None set

[C.R.C. 3.1800(a)(6)]

1 Plaintiff, the People of the State of California, *ex rel.* Jeff W. Reisig as the District Attorney for the
2 County of Yolo, filed a complaint December 30, 2004 and a first amended complaint on July 17, 2007, seeking
3 to abate a public nuisance through the use of what is commonly known as a “gang injunction” against defendant
4 Broderick Boys aka BRK aka BSK aka Norteno aka Norte aka XIV, an unincorporated association alleged
5 to be a criminal street gang, its members and all those through whom the Broderick Boys gang acts, Timothy
6 Acuna (Cartoon), Thomas Cedillo, Victor Dazo, Jr (Little Vic), Alex Estrada (Otter), Ramon Esquilin
7 (Kiko), Jesse Garcia (Smokey), Michael Hernandez (Snoopy), Rainey Martinez, William Mcfadden (Billy),
8 Robert Montoya (Little Rob), Michael Morales, Rudy Ornelas, Guillermo Duke Rosales (Duke), Robert
9 Sanchez (Rabbit), Paul Savala (Savage), Rudy Tafoya (Rude Dog), Abel Trevino (Gangster), Felipe Valadez
10 Jr. (Shug), Billy Wolfington (Bouncer), and Tyson Ybarra, in a “Safety Zone” (a map of which is included as
11 page 5 and incorporated herein, located in the City of West Sacramento, bounded by Harbor Boulevard to
12 the west, the Sacramento River to the north, and to the east (but not including the area previously known as
13 the Lighthouse Marina and Golf Course) and by Highway 50, Business Loop 80 and State Route 275 to the
14 south. The Safety Zone also extends 100 yards to the outside of its boundaries. Default was duly entered
15 against defendant Victor Dazo. After due consideration of all papers filed in this action, including the
16 declarations and other evidence submitted, and plaintiff’s memorandum of points and authorities including
17 *People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, *cert. denied*, 521 U.S. 1121; *People v.*
18 *Englebrecht* (2001) 88 Cal.App.4th 1236; *In re Englebrecht* (1998) 67 Cal.App.4th 486, this Court finds
19 by clear and convincing evidence that service is proper under the circumstances, that the Broderick Boys is a
20 criminal street gang as defined in Penal Code section 186.22 (Street Terrorism Enforcement and Prevention
21 “STEP” Act), that the Broderick Boys is a gang as defined for the purpose of a gang abatement injunction in
22 *People v. Englebrecht* (2001) 88 Cal.App.4th 1236, 1258, that defendant Victor Dazo is a member of that
23 gang, and that the conduct and activities of defendant Victor Dazo constitutes a public nuisance in the Safety
24 Zone; good cause appearing for entry of judgment,

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1 IT IS ORDERED, ADJUDGED AND DECREED that:

2 1. Defendant Victor Dazo is enjoined and restrained from engaging in or performing directly or
3 indirectly, any of the following activities in the Safety Zone

4 a. **Do Not Associate:** Standing, sitting, walking, driving, gathering or appearing, anywhere in
5 public view or anyplace accessible to the public, with any known member of the Broderick Boys including but
6 not limited to Timothy Acuna (Cartoon), Thomas Cedillo, Alex Estrada (Otter), Ramon Esquilin (Kiko),
7 Jesse Garcia (Smokey), Michael Hernandez (Snoopy), Rainey Martinez, William Mcfadden (Billy), Robert
8 Montoya (Little Rob), Michael Morales, Rudy Ornelas, Guillermo Duke Rosales (Duke), Robert Sanchez
9 (Rabbit), Paul Savala (Savage), Rudy Tafoya (Rude Dog), Abel Trevino (Gangster), Felipe Valadez Jr.
10 (Shug), Billy Wolfington (Bouncer), and Tyson Ybarra, but not including: (1) when all individuals are inside
11 a school attending class or on school business, and (2) when all individuals are inside a church; provided
12 however that this prohibition against associating shall apply to all claims of travel to or from any of those
13 locations;

14 b. **No Intimidation:** Confronting, intimidating, annoying, harassing, threatening, challenging,
15 provoking, assaulting or battering any person known to be a witness to any activity of the Broderick Boys gang,
16 known to be a victim of any activity of the Broderick Boys, or known to be a person who has complained
17 about any activity of the Broderick Boys;

18 c. **No Guns or Dangerous Weapons:** Anywhere in public view or anyplace accessible to the
19 public, (1) possessing any gun, ammunition, or illegal weapon as defined in Penal Code section 12020, (2)
20 knowingly remaining in the presence of anyone who is in possession of such gun, ammunition or dangerous
21 weapon, or (3) knowingly remaining in the presence of such gun, ammunition or dangerous weapon;

22 d. **No Graffiti or Graffiti Tools:** Damaging, defacing, or marking any public property or private
23 property of another, or possessing any spray paint can, felt tip marker, or other graffiti tool as defined in Penal
24 Code section 594.2;

25 e. **Stay Away From Drugs:** Without a prescription, (1) selling, possessing, or using any
26 controlled substance or related paraphernalia, including but not limited to rolling papers and pipes used for
27 illegal drug use, (2) knowingly remaining in the presence of anyone selling, possessing, or using any controlled
28 substance or such related paraphernalia, or (3) knowingly remaining in the presence of any controlled substance

1 or such related paraphernalia;

2 f. **Stay Away From Alcohol:** Anywhere in public view or anyplace accessible to the public,
3 (1) possessing an open container of an alcoholic beverage, (2) knowingly remaining in the presence of anyone
4 possessing an open container of an alcoholic beverage, or (3) knowingly remaining in the presence of an open
5 container of an alcoholic beverage;

6 g. **Obey Curfew:** Loitering in any place which is open to the public or exposed to public view
7 and includes streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, automobiles, and
8 buildings open to the general public, including those which serve food or drink, or provide entertainment, and
9 the doorways and entrances to buildings or dwellings and the grounds enclosing them, between the hours of
10 10:00 p.m. on any day and sunrise the following day;

11 h. **No Trespassing:** Being present on or in any property not open to the general public, except
12 (1) with the prior written consent of the owner, owner's agent, or the person in lawful possession of the
13 property, or (2) in the presence of and with the voluntary consent of the owner, owner's agent, or the person
14 in lawful possession of the property; and

15 i. **Obey All Laws:** Failing to obey all laws (1) which prohibit violence and threatened violence
16 including murder, rape, robbery by force or fear, assault and battery, (2) which prohibit interference with the
17 property rights of others including trespass, theft, driving or taking a vehicle without the owner's consent, and
18 vandalism, or (3) which prohibit the commission of acts which create a nuisance including the illegal sale of
19 controlled substances and blocking the sidewalk.

20 [text continued on page 6 after map]

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CITY OF WEST SACRAMENTO
 ENGINEERING DIVISION
 1110 W. CAPITOL AVE.
 WEST SACRAMENTO, CA 95691
 PHONES (916) 677-4845
 FAX (916) 871-0845

EMAIL:
 commander@ci.west-sacramento.ca.us

TITLE:
**SAFETY ZONE
 MAP**

PROJECT:

DATE: 12-20-04

SCALE: 1" = 2000'

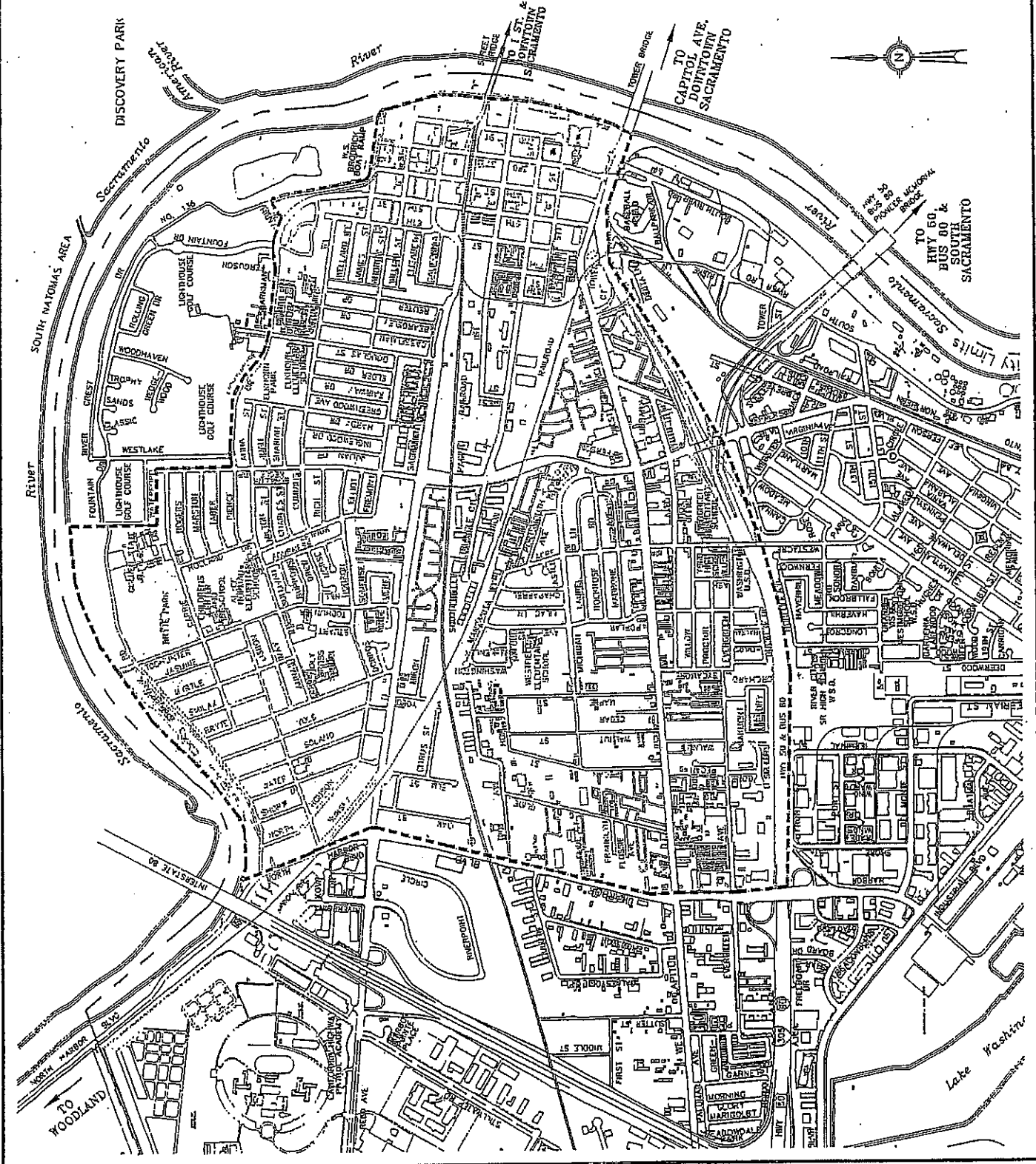
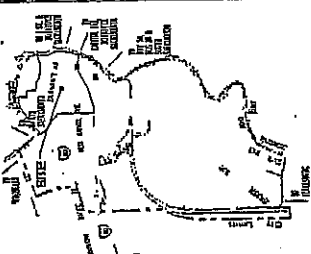
DRAWN BY: J.G.

CHECKED BY: J.R.

W.O. # : 1020

SHEET 1 OF 1

WEST SACRAMENTO



1 2. Each party shall bear its own costs in this action.

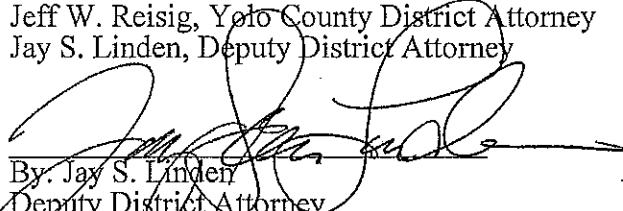
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3
4 DATED: 12/19/07

TIMOTHY L. FALL

Judge of the Superior Court

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6 Submitted on 12/17/07, by:

7
8 Jeff W. Reisig, Yolo County District Attorney
9 Jay S. Linden, Deputy District Attorney

10 
11 By: Jay S. Linden
12 Deputy District Attorney
Attorneys for Plaintiff
People of the State of California