

1 DENNIS J. HERRERA, State Bar #139669
City Attorney
2 ALEX G. TSE, State Bar #152348
Chief Attorney, Neighborhood and Resident Safety Division
3 MICHAEL S. WEISS, State Bar #168378
YVONNE R. MERE, State Bar #173594
4 Deputy City Attorneys
Fox Plaza
5 1390 Market Street, Sixth Floor
San Francisco, California 94102-5408
6 Telephone: (415) 554-3800
Facsimile: (415) 437-4644
7

8 Attorneys for Plaintiff
9 PEOPLE OF THE STATE OF CALIFORNIA

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 CITY and COUNTY OF SAN FRANCISCO
12 UNLIMITED CIVIL JURISDICTION

13 PEOPLE OF THE STATE OF
14 CALIFORNIA, by and through DENNIS
15 J. HERRERA, City Attorney for the CITY
and COUNTY OF SAN FRANCISCO,

16 Plaintiff,

17
18 vs.

19
20 DOWN BELOW GANGSTERS (aka
21 "DBG "), a criminal street gang, sued as
22 an unincorporated association, and
TOWERSIDE (aka "TOWERS"), a
23 criminal street gang, sued as an
unincorporated association and DOES 1
24 THROUGH 500,

25 Defendants.
26

Case No. CGC-10-502-262

EXPERT DECLARATION OF SFPD
OFFICER JOSHUA KUMLI IN SUPPORT
OF ISSUANCE OF PRELIMINARY
GANG INJUNCTION

Hearing Date:
Hearing Judge: Charlotte W. Woolard
Time: 9:30 a.m.
Place: Department 302

Date Action Filed: August 5, 2010
Trial Date: Not yet set

Attached Exhibits: A-B

1 I, Officer Joshua Kumli, Star No. 4013 declare as follows:

2 1. I have personal knowledge of the facts set forth below, except for those facts stated upon
3 information and belief. If called to testify to the facts stated below, I could and would testify to them
4 competently.

5 2. I am a San Francisco Police Officer. I have been so employed for 9 years. I am currently
6 assigned to the Gang Task Force.

7 3. I make this Declaration in support of Plaintiff's request for a civil gang injunction against
8 two rival criminal street gangs: the DOWN BELOW GANGSTERS ("DBG") and TOWERSIDE,
9 within a designated geographic area in San Francisco's Visitacion Valley neighborhood (hereinafter, the
10 "Proposed Safety Zone"). The Proposed Safety Zone encompasses the DBG and TOWERSIDE's
11 claimed turf as well as the areas immediately adjacent to the gang turf – areas used by the gangs to
12 commit crimes and abscond from authorities. The Proposed Safety Zone is more particularly described
13 as follows: an "L" shaped area generally bordered by Schwerin Avenue to the East, Visitacion Avenue
14 to the North, Hahn Street to the Northern fenced border of the Sunnydale Housing Development
15 (separating the Sunnydale Housing Development from Herz Playground and Gleneagles International
16 Golf Course), the Western border of the Sunnydale Housing Development to the West, South along the
17 perimeter of the Sunnydale Housing Development which becomes Velasco Avenue at Carrizal Street to
18 the South. Below are two maps, one of the broader neighborhood and one with the Proposed Safety
19 Zone highlighted.

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4. In this Declaration, I discuss my gang experience, education and expertise on criminal street gangs, with an emphasis on the DBG and TOWERSIDE criminal street gangs that function in San Francisco's Visitation Valley neighborhood within the Ingleside Police District. I also discuss the

1 history of the DBG and TOWERSIDE criminal street gangs, describe their primary criminal activities
2 and structures, discuss how and where the gangs operate, their membership practices, and explain the
3 gang's relationship to the extraordinarily high rate of shootings, homicides, illegal firearms possession,
4 narcotics sales, robberies, assaults, loitering, and graffiti in the Proposed Safety Zone.

5 5. In this Declaration, except where I state something to be based on my own personal
6 observations, I am stating my opinion as a gang expert, or am referring to information that I used to
7 form my opinions. The information I used to form my opinion on the DBG and TOWERSIDE criminal
8 street gangs includes my personal observations, discussions with other law enforcement officers
9 including other gang experts, conversations I have had with members, associates, affiliates, and family
10 members of the DBG and TOWERSIDE criminal street gangs, conversations I have had with non-gang
11 members who live in the community, conversations I have had with non-gang members who work at the
12 public housing developments within the Proposed Safety Zone, conversations with victims of and
13 witnesses to gang crimes, reviews of social networking sites such as MySpace, YouTube, Facebook,
14 seizure of letters and writings related to DBG and TOWERSIDE gangs, listening to recorded jail
15 conversations, reviewing video surveillance footage, and reviewing police records.

16
17 **EXPERIENCE, EDUCATION, and EXPERTISE REGARDING
18 CRIMINAL STREET GANGS and GANG MEMBERS**

19 6. I attained a Bachelor of Sciences degree in Kinesiology from San Francisco State
20 University.

21 7. I am a court-qualified gang expert, and have testified in San Francisco Superior Court, as
22 a gang expert on criminal street gangs located in San Francisco's Ingleside Police District, six times.

23 8. When I joined the San Francisco Police Department, I was assigned to Bayview Station
24 for training and my first assignment. While at Bayview Station I was often assigned to public housing
25 areas with significant gang violence. I was subsequently transferred to the Southern Police District, and
26 worked there from 2002-2003. While at Southern Station, I worked as both a uniformed and a
27 plainclothes officer, often assigned to the 6th Street corridor, an area known for narcotics sales. In that

1 assignment I had contact with gang members on a regular basis. In 2003, I was transferred to Ingleside
2 Police Station. When I first arrived, I was assigned to sector cars responsible for areas of Visitacion
3 Valley, a neighborhood in the southeast sector of San Francisco that is home to the DBG and
4 TOWERSIDE gangs, as well as the area surrounding the Alemany public housing developments. The
5 majority of my contacts involved gangs and criminal activity in public housing. In mid-2003, I was
6 assigned to an unmarked car responsible for community complaints focused in and around public
7 housing. In 2005, I started working in the plainclothes unit at Ingleside Station. The plainclothes unit
8 was an investigative unit, focused on narcotics, robberies, gang-related crime, and abating community
9 problems.

10 9. From 2008 to the present, I have been assigned to the Gang Task Force, where my focus
11 has been on criminal street gangs operating in the Ingleside Police District.

12 10. My responsibilities as a member of the SFPD Gang Task Force include, but are not
13 limited to, investigation of gang-related crime, the preparation and execution of arrest and search
14 warrants, presenting gang-related cases to be charged by the District Attorney's Office, testifying as a
15 percipient and expert witness, and gathering information on criminal street gangs operating out of the
16 Ingleside Police District. The information I gather on these gangs includes, but is not limited to, names
17 of the members of each gang, gang trends, methods of operation and communication, gang terminology,
18 gang turf, gang rivalries, gang alliances, criminal histories of individual members, tattoos, graffiti,
19 clothing, and symbols.

20 11. As part of my work as a gang investigator, I also identify and document active gang
21 members and gang indicia, track gang members and their activities, carry my own caseload of gang-
22 related crimes, work with other police officers in solving gang-related crimes, work with and assist
23 probation and parole officers to ensure that gang members comply with their probation and parole
24 conditions, and act as a liaison between the San Francisco Police Department and outside law
25 enforcement agencies on gang-related issues.

1 training about criminal street gangs with a focus on San Francisco gangs. Lastly, over the course of my
2 career as a police officer, I have periodically attended additional meetings and trainings that have
3 focused on gang and narcotics issues.

4 16. Since 2005, I have led informal line up or roll call trainings for officers at Ingleside
5 Station, teaching officers about gangs, gang members, and gang-related activities. Since September
6 2009, I have taught at the Police Academy, and conducted formal trainings related to the activities of
7 gangs, specifically gangs operating in the Ingleside Police District.

8 17. Since 2008, I have been a member of the California Gang Investigators Association.
9 That membership allows me to keep current on gang trends, developments in the law, and gang
10 prosecution strategies.

11 18. In addition to the above experiences and training, I have also read many books and
12 publications about gangs, such as: United States Department of Justice, Responding to Gangs:
13 Evaluation and Research (July 2002); Blatchford, The Black Hand (2008); California Attorney General,
14 Gangs – A Community Response (August 22, 2003); Venkatesh, American Project: The Rise and Fall of
15 a Modern Ghetto (2002); Venkatesh, Gang Leader for a Day: A Rogue Sociologist Takes to the Streets
16 (2008); Venkatesh, Off the Books: The Underground Economy of the Urban Poor (2009); Valdez,
17 Gangs: A Guide to Understanding Street Gangs, Fourth Edition (2005); Shakur, Monster: The
18 Autobiography of an L.A. Gang Member (1998); Pistone, Donnie Brasco (1997); and Pistone, Donnie
19 Brasco: Unfinished Business (2007).

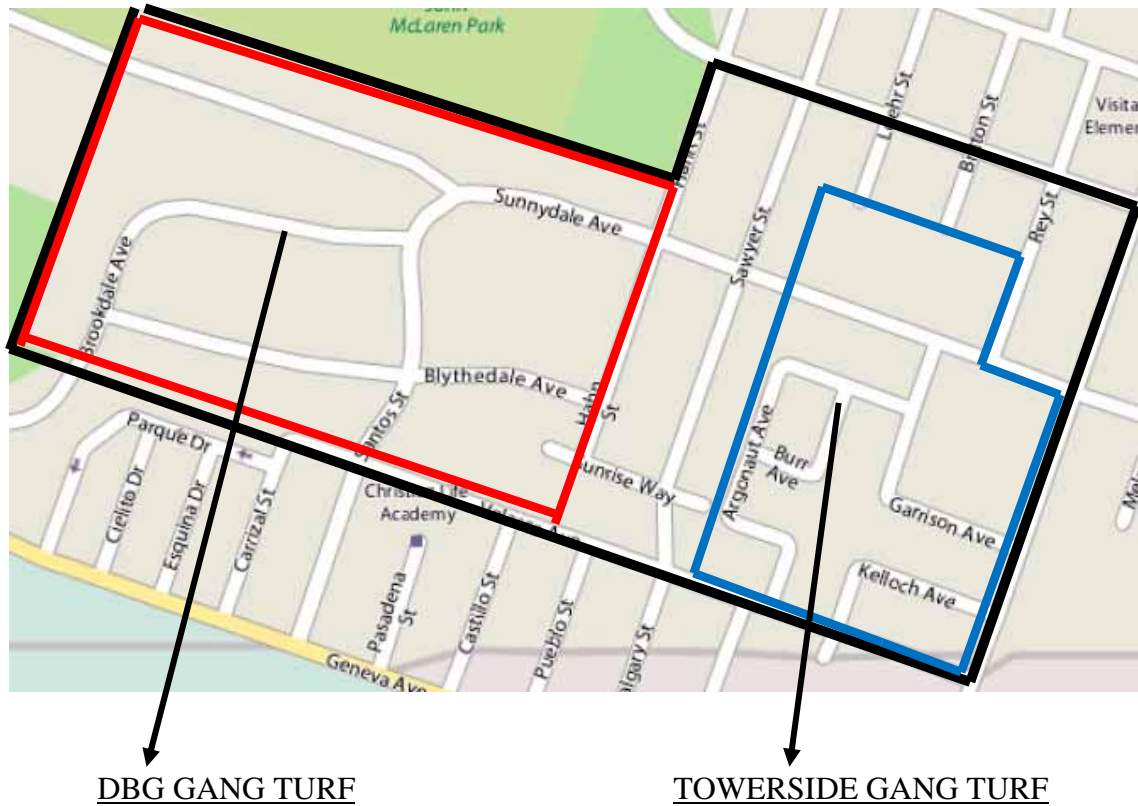
20 19. Beyond formal training and education, much of my expertise on criminal street gangs has
21 been developed during my career as a police officer, talking to other police officers and investigators,
22 talking to members of the community, self-identifying gang members, rivals and formal rivals.

23 24 **AN OVERVIEW OF DBG and TOWERSIDE - 25 **TURF-BASED CRIMINAL STREET GANGS****

26 20. DBG is a criminal street gang that claims as its turf the Sunnydale Housing Development,
27 a public housing project in the Visitacion Valley neighborhood of San Francisco. (See map of DBG and

1 TOWERSIDE turf below.) There are more than 100 active DBG gang members and associates in San
2 Francisco. This civil injunction seeks to enjoin 25 of DBG's most active adult members.

3 21. DBG's main rival¹ is TOWERSIDE, a criminal street gang claiming turf just a few blocks
4 away in the areas surrounding the Heritage Homes and Britton Courts public housing developments (the
5 site of the former Geneva Towers Housing Development) as well as private residences, including the
6 Brick Homes. (See map of DBG and TOWERSIDE turf below.) There are more than 50 active
7 TOWERSIDE gang members and associates in San Francisco. This civil injunction seeks to enjoin 16
8 of TOWERSIDES' most active adult members.



24 ¹ Both DBG and TOWERSIDE each have additional gang rivalries and alliances. DBG has
25 alliances with two other San Francisco gangs, Oakdale Mob and West Mob, both of which are located in
26 Bayview/Hunter's Point. Similarly, TOWERSIDE is allied with Hilltop, a gang whose turf is located in
27 San Francisco near San Bruno Avenue and Wilde Street.

1 22. When a criminal street gang "claims turf," it means that the gang takes ownership over a
2 specific area, staking the gang's name on that location.

3 23. Turf is critically important to the DBG and TOWERSIDE gangs, enabling these gangs to
4 have a space they can control and commit crimes with little impunity.

5 24. Because claiming and maintaining turf is key to the gangs' success, DBG and
6 TOWERSIDE gangs employ acts of violence, menace, and intimidation to ensure that they will continue
7 to "own" their turf.

8 25. DBG and TOWERSIDE gangs commit crimes including acts of violence against
9 members of the public, rivals and perceived rivals within their turf and the Proposed Safety Zone. DBG
10 and TOWERSIDE gangs shoot at one another, committing those shootings on public streets and in
11 public spaces. In addition, DBG and TOWERSIDE gangs regularly accost, assault, and rob people in
12 the Proposed Safety Zone - on the street, on the bus, at bus stops, in and around the public housing
13 developments, and in other spaces open to the public.

14 26. DBG and TOWERSIDE gangs commit the types of predicate crimes described in Penal
15 Code Section 186.22(e) (Street Terrorism Enforcement and Prevention Act, hereinafter "S.T.E.P. Act"),
16 including but not limited to: homicides, attempted homicides, aggravated assaults with guns, illegal
17 firearms possessions, and narcotics trafficking. The more violence DBG and TOWERSIDE gangs
18 commit, the more they are feared; the more they are feared, the more they interpret that fear as respect,
19 and the more they feel emboldened to maintain, control, and regulate their turf.

20 27. Further, because losing their turf would significantly hamper the gangs' activities, DBG
21 and TOWERSIDE gangs maintain their turf by clearly defining and representing their turf - loitering in
22 strategic public places in menacing numbers, flashing hand signs, wearing gang symbols, displaying
23 tattoos, and committing graffiti vandalism against public and private property. These acts are
24 intimidating and menacing to the community.

25 28. As described in greater detail below, DBG and TOWERSIDE are rivals and enemies who
26 have created a public nuisance in the almost exclusively residential Proposed Safety Zone. The
27

1 Proposed Safety Zone includes the two gang turfs and the areas immediately surrounding the turf
2 because the public nuisance committed by the gangs in the Proposed Safety Zone (shootings, homicides,
3 weapons offenses, robberies, burglaries, vandalism, and narcotics offenses) not only create a public
4 nuisance in the immediate location where the crimes are committed, but also have an "echo effect"
5 which is felt by residents throughout the neighborhood. Sounds of gunshots, for example, are heard
6 throughout the broader community, causing fear in households blocks away from where the guns are
7 actually being fired. Bullets often strike and penetrate building in and around the Proposed Safety Zone.

8 29. This Declaration discusses the origins and contours of the DBG and TOWERSIDE gang
9 rivalry, the types of violent crimes and other crimes committed by the gangs in the Proposed Safety
10 Zone, the common signs and symbols employed by the gangs to define and protect their turf, as well as
11 the individual members of DBG and TOWERSIDE sought to be enjoined.

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16 **HISTORY OF THE DBG and TOWERSIDE GANGS**²

17 30. The members and associates of DBG and TOWERSIDE carry on a cycle of violence and
18 revenge, the origins of which often precede their individual gang membership.

19 31. I am informed and believe that as far back as the 1980's the Proposed Safety Zone and the
20 surrounding area used to be known generally as the Sunnydale and/or the "Swampy Desert" or "Swampy
21 D." During that time, there were two public housing developments in the area, the Sunnydale Housing
22 Development and the Geneva Towers.

24 ² My understanding of the history of the DBG and TOWERS gangs is based primarily on
25 information obtained through conversations with fellow officers, reviews of police reports and other
26 documents, and conversations with individuals in the community. I believe it is an accurate
27 representation of the origins of the Defendant gangs and their rivalries.

1 32. I am informed and believe that during that time, there were several small groups of
2 individuals committing crimes in the area. Those groups were the beginnings of the gangs that would
3 eventually become known as DBG, Up the Hill ("TRE FOE"), and TOWERSIDE. In the early and mid-
4 1990's, these groups were committing crimes in the area, but their conflicts and rivalries did not generate
5 the level of lethal violence that we see today.

6 33. I am informed and believe that during the mid-1990s into the early 2000s, several
7 important events took place that would shape this neighborhood, formalize alliances and cement
8 rivalries that define the gangs as they exist today.

9 34. The first involved Gregory Jackson, aka "G-Force." I am informed and believe that
10 during the mid to late 1990s, G-Force, a charismatic and influential leader, united a series of smaller
11 groups operating in the area under one DBG, umbrella. G-Force had a personal conflict with members
12 of the Up the Hill gang, a turf-based gang occupying the upper or elevated sections in the southwestern
13 portion of the Sunnydale Public Housing Development.

14 35. I am informed and believe that G-Force reached out to several of these smaller groups
15 operating in and around the Sunnydale Housing Development including Down the Hill, 1800 Block,
16 1700 Block, 1600 Block, 1500 Block, and Borderline bringing most of their members together as one
17 group to be known as the "Down Below Gangsters."

18 36. I am informed and believe that those events were critical in setting the stage for the
19 violence and conflict that ensued between DBG and Up the Hill. From that time, until early 2006, DBG
20 and Up the Hill would engage in a bitter and bloody rivalry that would result in the federal indictments
21 of more than 12 DBG members, and the subsequent convictions of 11 DBG members.

22 37. In the plea agreements and allocutions presented in federal court, several DBG members
23 admitted the following:

24 "The Down Below Gang (DBG), also referred to as "Down the Hill", "Swamp Boys",
25 Sunnydale", and "3-2-4", is a criminal street gang that operates in the Sunnydale Housing
26 Projects located in the Visitacion Valley of the City and County of San Francisco in the
27 Northern District of California. DBG engaged in, or committed, activities that affected,
interstate commerce including the sale and distribution of cocaine base and procuring and

1 using firearms that had traveled in interstate commerce. DBG exercised control over the
2 portion of the Sunnydale Housing Projects that they deemed their "territory." DBG
3 reinforced its power through violence and intimidation and obtained finances for its
4 members (both incarcerated and those on the streets) through an array of criminal
5 activities, including but not limited to, drug trafficking and armed robbery.

6 DBG members showed their gang membership in several ways: (1) the adoption of
7 monikers; (2) the use of call signs and hand signals to identify gang members (e.g., the
8 defendants configured their fingers into the signal to represent 3-2-4, which represents
9 the numbers on the telephone keypad that correspond to the letters "DBG"); (3) use of
10 graffiti to identify and define their territory or "turf"; and (4) the use of tattoos that
11 displayed allegiance to the gang or that displayed respect to a "fallen" or murdered gang
12 member. DBG required its members to follow certain basic rules and certain orders
13 issued by senior members of the gang. For example, DBG gang members were required
14 to (I) never speak with law enforcement about any crime, whether it be a crime
15 committed by them, or a crime committed against them (the "Code"); (2) pool their
16 money and donate it to assist gang members who were incarcerated make bail, purchase
17 items from the commissary, or make phone calls; (3) share the firearms owned by
18 members of DBG with other members of the gang for use in the protection of the gang's
19 territory and the commission of crimes; and (4) ensure that potential witnesses did not
20 cooperate with law enforcement by through the use of intimidation and violence to the
21 potential witnesses and their families."

22 (An excerpt from the RICO Plea Agreement dated December 4, 2006, 2:22-3:18, *United*
23 *States of America v. Allen "Nutso" Calloway* (United States District Court, Northern
24 District, 2005, No. CR 05-00167 WHA.))

25 38. The RICO indictments implicated some of DBG's most prominent members and
26 enforcers who were deeply involved in the conflict with Up the Hill. After the indictments, the violence
27 between DBG and Up the Hill began to subside.

28 39. To date, the rivalry between DBG and Up the Hill has not resurfaced. In discussions with
some DBG and Up the Hill members, they have acknowledged that the gangs "squashed the beef"
meaning that their disputes have been resolved. Now DBG members freely function throughout the
Sunnydale Housing Project, being able to move throughout the development, even in areas once
controlled by Up the Hill. (Despite the lack of violence, several DBG and Up the Hill members and
members of law enforcement remain skeptical about the motivation or permanence of this "truce" and
the sincerity of these former rivals.)

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2 **CRIMINAL ACTIVITY COMMITTED BY DBG AND TOWERSIDE GANGS**

3 46. DBG and TOWERSIDE gang members commit a variety of crimes and acts of nuisance,
4 including homicides, shootings, weapons offenses, assaults, batteries, robberies, drug sales, acts of
5 vandalism, and other crimes within the Proposed Safety Zone.

6 47. When DBG and TOWERSIDE gang members commit these crimes within the Proposed
7 Safety Zone in public spaces and areas accessible to the public, it creates and perpetuates a public
8 nuisance, which jeopardizes the health, safety, and welfare of the community and its residents.

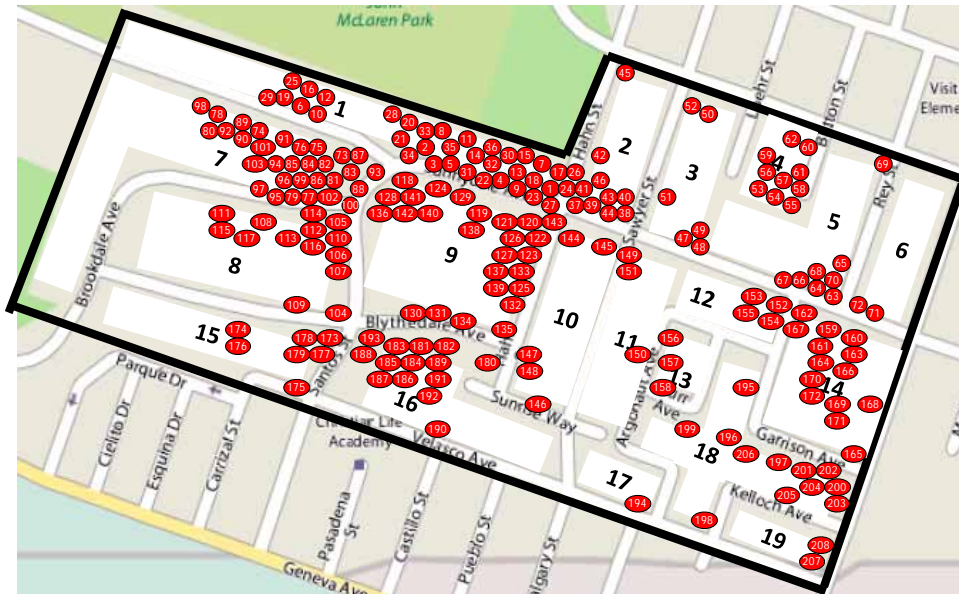
9 48. DBG and TOWERSIDE gangs' criminal and nuisance conduct also impacts vehicle and
10 pedestrian traffic, interferes with lawful commerce, exhausts police resources, causes damage to public
11 and private property, and significantly diminishes the quality of life within the Proposed Safety Zone.

12 49. Through their criminal and nuisance conduct, DBG and TOWERSIDE gang members
13 victimize the entire community, leaving community members scared to live in, work in, and enjoy their
14 own neighborhood.

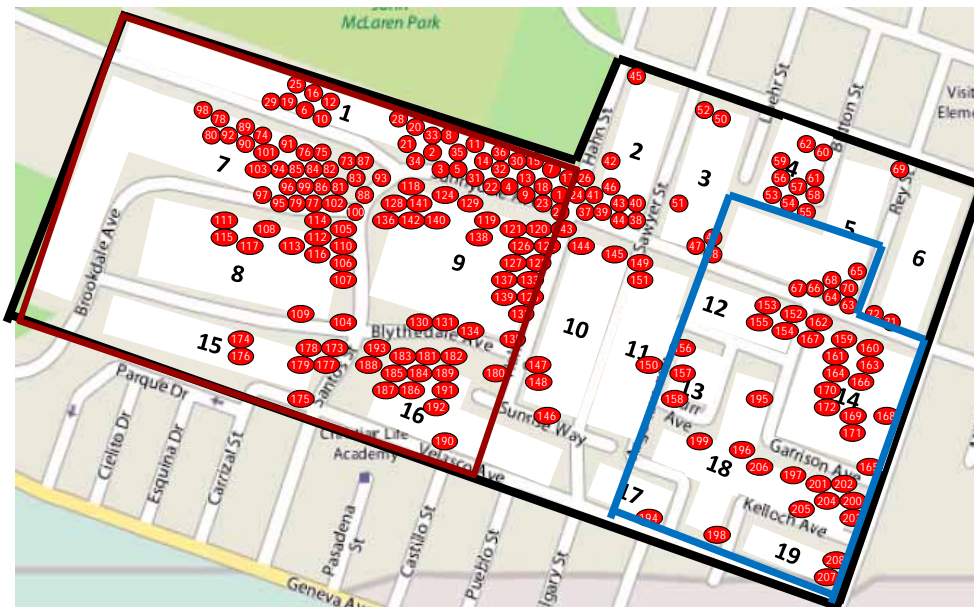
15 50. DBG and TOWERSIDE gang members actively work to dissuade community residents
16 from reporting crime and nuisance conduct, labeling as a "snitch" anyone who speaks with the police.
17 Once labeled a "snitch" the individual, his/her family, and his/her property is often targeted by gang
18 members/associates for intimidation in the form of assaults, batteries, threats, theft, brandishing
19 weapons, and vandalism. This fear of being labeled a "snitch" causes community members to be afraid
20 to reach out to the police, fearful that they put themselves or their families at risk of retaliation by gang
21 members. When community members and crime victims are afraid to speak with the police, crimes go
22 unreported and unsolved, and criminals subsequently act without fear of consequences.

23 51. By punishing those who report crimes to the police, DBG and TOWERSIDE gang
24 members send a message to the community that the gangs are in control of the neighborhood, which
25 further discourages people from reporting crimes to the police and further diminished the quality of life
26 for the residents.

1 52. Below are two maps that show the location of 208 documented criminal and nuisance
2 incidents committed or suspected to have been committed by DBG and TOWERSIDE gang members
3 within the Proposed Safety Zone. The second map includes the 208 documented criminal incidents with
4 the gang turf boundaries delineated.



4 The above maps divide the Proposed Safety Zone into city blocks (1-19) and plot the locations of each crime. Each dot represents one incident regardless of the number of crimes committed or the number of individuals involved. This map includes all incidents referred to in this Declaration and in the declarations filed by members of the San Francisco Police Department supporting this Request for Preliminary Injunction. The map does not include all crimes committed by named DBG or TOWERSIDE gang members. The map and the index giving further detail of each identified crime are attached hereto as Exhibits A and B respectively.



53. The above incidents represent incidents committed by identified DBG and TOWERSIDE members and incidents committed by suspected DBG and TOWERSIDE members. Many of those incidents involve violent crimes and drug sales. Those types of crimes are discussed in greater detail below.

Shootings and Weapons Offenses

54. More than 50% of the above 208 documented criminal incidents involved the use or presence of weapons or ammunition.

55. DBG and TOWERSIDE gang members are responsible for numerous homicides, shootings, shots fired, and other weapons offenses, within the Proposed Safety Zone.

56. Since August 2007, there have been at least ten gang-related homicides perpetrated with firearms in the Proposed Safety Zone.

57. DBG and TOWERSIDE members were involved in more than 51 shootings and other weapons offenses in the Proposed Safety Zone.

58. In addition to those incidents, between January 2009 and February 2010 at least 60 shootings and other weapons offenses were committed in the Proposed Safety Zone. Those incidents

1 involved unidentified suspects and involved weapons offenses committed on the public street and other
2 public spaces.

3 59. Based my training and experience, it is my opinion more than 90% of those shootings and
4 weapons-related offenses are attributable to DBG and/or TOWERSIDE gangs.

5 60. As an officer at Ingleside Station and now a member of the SFPD Gang Task Force, I
6 have investigated hundreds of shootings and weapons offenses within in the Proposed Safety Zone.

7 61. As part of those investigations, I have seen house windows shattered by gunfire, bullets
8 lodged into the interior and exterior walls of private homes, and bullets embedded in or damaging cars
9 parked on public streets within the Proposed Safety Zone.

10 62. Many of the DBG and TOWERSIDE gang members carry firearms on their person or in
11 their vehicles. This prevalence of firearms and weapons offenses makes it more likely that a violent act
12 will be committed in the neighborhood, creating, contributing to, or exacerbating the public nuisance.

13 63. DBG and TOWERSIDE gang members possess weapons to intimidate people, commit
14 crimes, injure their rivals, injure each other, protect themselves from rivals/enemies, and protect their
15 turf.

16 64. DBG and TOWERSIDE gang members flaunt and brandish weapons as a way to show
17 their power and control over the neighborhood.

18 65. In order to thwart law enforcement and/or to avoid being caught with a firearm, it is
19 common for DBG and TOWERSIDE gang members to throw/hide/stash their loaded firearms in easily
20 accessible areas, such as in trees and bushes, garbage cans, utility boxes, under cars, in an under
21 mailboxes, and on or around homes, in the Sunnydale, Heritage Homes, and Britton Courts public
22 housing developments, as well as in the Brick Homes and the surrounding areas, keeping the firearm
23 readily accessible for their later use. Within the Proposed Safety Zone, I have also found loaded guns
24 and ammunition hidden in garbage cans, utility boxes, in and under mailboxes, trees and bushes,
25 abutting public streets, cars and homes, in the Sunnydale, Heritage Homes, and Britton Courts public
26 housing developments, as well as in the Brick Homes and the surrounding areas. The mere presence of
27

1 dangerous weapons, shootings, and shots fired in and around the Proposed Safety Zone is a danger to the
2 public and a nuisance.

3 66. Another way that DBG and TOWERSIDE gang members try to avoid being caught with
4 a firearm is to give them to individuals who are likely to suffer less severe criminal consequences (i.e.
5 juveniles, girlfriends, or other gang members who do not have prior convictions).

6 67. Below are some photographs demonstrating DBG members brandishing weapons:



19 **Photo 1**



28 **Photo 2**



Photo 3

Robberies

68. DBG and TOWERSIDE gang members commit robberies within the Proposed Safety Zone, on public streets, on the bus, at the bus stops, in and around the public housing development, and in other public spaces.

69. DBG and TOWERSIDE gang members typically commit their robberies in groups of two or more people. Committing these robberies as a group makes the crime more likely to be successful, more intimidating, and minimizes the likelihood that the victim will resist or fight back.

70. Committing robberies benefits the individual gang members as well as the DBG and TOWERSIDE gangs as a whole. The individuals involved benefit financially, with those gang members with a higher status within the gang, or those committing a riskier aspect of the crime, feeling entitled to a disproportionate share of the profits. Commission of the robbery itself enhances the gang members' status within his own gang, earning greater "respect" from their fellow gang members by "putting in work" or "earning their stripes" to benefit the gang.

71. These robberies also benefit the DBG and TOWERSIDE gangs financially and enhances their reputation. DBG and TOWERSIDE gangs use the proceeds of their robberies to buy narcotics and

1 weapons, and to help out other gang members in need of cash by putting money on the books of an
2 incarcerated gang member or pooling it to bail incarcerated members out of jail.

3 72. In addition to being a source of income for the DBG and TOWERSIDE gangs,
4 committing street robberies also helps the DBG and TOWERSIDE gangs create and perpetuate a climate
5 of fear and intimidation in the neighborhood, allowing them to dominate and control the community. By
6 committing acts of violence in the Proposed Safety Zone, DBG and TOWERSIDE gangs create an
7 environment of fear and apprehension in the community and enhance their reputations for committing
8 violent acts. That fear and apprehension enables the gangs to commit additional acts of violence. This
9 cycle of intimidation and violence emboldens the gang.

10 73. In my opinion, the number of robberies are underreported, especially among residents
11 who live in or near DBG and TOWERSIDE gang turf. These gangs prey on people who they consider
12 vulnerable, counting on the fact that victims will fear reaching out to the police, afraid of retaliatory
13 action by the DBG and TOWERSIDE gangs.

14 74. I have reviewed twenty-seven incident reports of thefts and robberies committed between
15 February 2009 and February 2010, twenty-four remain unsolved and three were solved and found to be
16 committed by known gang members (one adult, others juveniles). Those incidents occurred within the
17 Safety Zone with victims ranging in age from 14 – 60 years old.

18 75. The three solved incidents bear similarities with each other in that the robberies are
19 committed by a group of 2 or more gang members, some of which are juveniles, in the Proposed Safety
20 Zone.

21 76. Although there is insufficient evidence in the twenty-four unsolved robbery cases to
22 conclusively opine that each one was committed by members of Defendant DBG or TOWERSIDE
23 gangs, I believe that it is more likely than not that at least some were committed by members or
24 associates of Defendant gangs. This opinion is based upon my experience and knowledge about the
25 DBG and TOWERSIDE gangs and the similarities between the unsolved robberies and the three
26 robberies known to be committed by gang members. Some of those similarities include the locations
27

1 where the robberies were committed and the manner in which the robberies were perpetrated. The
2 unsolved robberies are consistent with the activities of the DBG and TOWERSIDE gangs, committing
3 violent crimes in groups of 2 or more within the Proposed Safety Zone, with the participation of juvenile
4 gang members and/or associates.

5 **Narcotics Sales**

6 77. The illicit sale of drugs is one of the illegal and money-making criminal activities of the
7 DBG and TOWERSIDE gangs within the Proposed Safety Zone.

8 78. Typically, DBG and TOWERSIDE gang members engage in street-level sales of cocaine
9 base ("crack"), cocaine salt, ecstasy, heroine, marijuana, prescription medication, and methamphetamine
10 within the Proposed Safety Zone.

11 79. DBG and TOWERSIDE drug sales are driven by demand. DBG and TOWERSIDE gang
12 members earn money by selling drugs on the street, out of cars, out of, in, and around public housing
13 units, and by making "house calls" or deliveries within the Proposed Safety Zone.

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16 80. To aid these narcotics sales, DBG and TOWERSIDE gang members also act as lookouts
17 for their fellow gang members, using cell phones, whistles, or verbal warning signs to alert them to the
18 presence of law enforcement personnel or rivals.

19 81. In my training and experience, DBG and TOWERSIDE gang members do not want to be
20 caught with drugs on their person, so some members stash their drugs in various places throughout the
21 Proposed Safety Zone, in bushes and trees, in drains, in or on trash cans, in vehicles, and in or on homes.
22 There is no limit to where gang members choose to hide narcotics, with the only prerequisite being that
23 they be close and accessible yet hidden.

24 82. When DBG and TOWERSIDE gang members sell drugs on the street within the
25 Proposed Safety Zone, it creates a public nuisance, diminishes the quality of life in the neighborhood,
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1 interferes with vehicle and pedestrian traffic, exhausts police resources, and causes or contributes to
2 loitering, littering, noise, verbal altercations, physical altercations, and public intoxication.

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