

SAN DIEGO COUNTY DISTRICT ATTORNEY'S OFFICE

PETITION FOR REMOVAL FROM GANG INJUNCTION ENFORCEMENT

This form is for use by a person living in the County of San Diego who has been served with a gang injunction and who wants the opportunity to demonstrate that he or she should not be restrained by the gang injunction because he or she no longer is, or never was, a gang member.

ELIGIBILITY

The San Diego County District Attorney's Office has put in place a review process for those persons living in the County of San Diego who believe they were wrongly served with a gang injunction because they were not then and are not now a gang member, or who were properly served but have since ended their association with the gang.

The review process is intended to be informal and does not require the filing of any papers with a court or any appearances before a judge. It does, however, require that you either submit a completed version of this form to the District Attorney's Office or otherwise provide us with the information requested by this form.

A gang injunction will be enforced against you only if you have been personally served with it. To be eligible for removal from the gang injunction if you have been personally served, you must provide sufficient information for the District Attorney's Office to positively confirm that:

- 1) You no longer are, or you never were, a member of the gang named in the gang injunction; **and**
- 2) You are not now acting, and you will not in the future act, to promote, further, or assist any of the activities prohibited by the gang injunction on behalf of the gang named in the gang injunction; **and**
- 3) You are not a member of any other criminal street gang.

THE REVIEW PROCESS

The review process is conducted by the District Attorney's Office and will involve a review of all of the information in your petition, as well as any other available and reliable information concerning your past and present membership in or involvement with criminal street gangs. You and other people you know who may have information relevant to the review process may be contacted for additional information. You will be advised of the decision to remove or not to remove you from the gang injunction at your home address, or, if you prefer for safety or convenience reasons, at another address. If your petition is denied and you are not removed from the gang injunction, you may

submit a new petition when you have significant new information to report supporting your claim that you no longer are (or you never were) a gang member.

CONFIDENTIALITY

The District Attorney's Office will keep the information you provide in this petition confidential to the extent permitted by law. The District Attorney's Office will not use statements made in this petition to prove any fact essential to proving any criminal charge the District Attorney's Office may bring against you in the future. However, this information may still be used to cross-examine you should you testify at a trial in a case brought by the District Attorney's Office and should your testimony be inconsistent with the information provided in this petition.

REPRESENTATION BY COUNSEL

Are you currently represented by an attorney (which includes a Public Defender) in any legal proceeding involving the gang injunction, including (but not limited to) a proceeding in which you are accused of violating the gang injunction: Yes No

Because of ethical rules applicable to all attorneys, if you answered yes, your petition cannot be considered unless **your attorney** completes and signs Addendum No. 1 at the end of this petition.

HOW TO SUBMIT YOUR PETITION

Once you have filled out this form, please make a copy of it for your records and submit the original **BY MAIL ONLY** to:

San Diego County District Attorney's Office
Gang Injunction Team
c/o Gang Prosecution Unit
330 W. Broadway 9th Floor
San Diego, CA 92101

PETITION FOR REMOVAL FROM GANG INJUNCTION ENFORCEMENT

IDENTIFYING INFORMATION:

Full Name:

Last First Middle

Any other name(s) you use or have used [including aliases or monikers]:

Date of Birth: _____/_____/_____ Social Security Number: _____
 Month Day Year

Driver's License State: _____ Number: _____

[If you do not have a driver's license, please attach a copy of any picture ID, such as a California ID or a Student ID Card.]

THE GANG INJUNCTION:

The name of the gang appearing on the Gang Injunction:

Date (or approximate date) you were served: ____/____/_____
 Month Day Year

CONTACT INFORMATION:

Your Home Address:

Street Apt./Unit No. City Zip Code

Other address (if any) you would rather be contacted at [you must still provide your Home Address above]:

Street Apt./Unit No. City Zip Code

Home Phone: (____) _____ Cell Phone: (____) _____

Email Address: _____

GANG AFFILIATION INFORMATION:

Have you ever been a member of the gang named in the Gang Injunction or any other criminal street gang: ___ Yes ___ No

If you answered yes, please answer the following:

When did you join the gang? _____

Why? _____

How did you join (jumped in, etc.)? _____

When did you stop being a member of the gang? _____

What did you do to stop being a member of the gang or to let other people know you were no longer a member of the gang? _____

Why did you decide to leave the gang? _____

INFORMATION IN SUPPORT OF YOUR PETITION:

EDUCATION:

Please provide the following information regarding schools you have attended, including high school, a trade school, or college. Please start with your most recent school and work your way backward in time.

1. Name of School: _____

Location: _____

When you attended: _____ Completed/Graduated (Y/N): _____

2. Name of School: _____

Location: _____

When you attended: _____ Completed/Graduated (Y/N): _____

3. Name of School: _____

Location: _____

When you attended: _____ Completed/Graduated (Y/N): _____

4. Name of School: _____

Location: _____

When you attended: _____ Completed/Graduated (Y/N): _____

EMPLOYMENT HISTORY: Please provide the following information regarding any job you currently hold, as well as any other job(s) you have held during the past three (3) years. Please start with your current or most recent job and work your way backward in time.

1. _____

Name of Employer

Position or Job Description

Address of Employer _____

Phone Number _____ Dates of Employment: _____

2. _____

Name of Employer

Position or Job Description

Address of Employer _____

Phone Number _____ Dates of Employment: _____

3. _____

Name of Employer

Position or Job Description

Address of Employer _____

Phone Number _____ Dates of Employment: _____

PEOPLE WHO CAN SUPPORT YOUR PETITION:

Please provide the contact information for any people who know you and can confirm that you no longer are, or you never were, a member of a criminal street gang. Such people can include: family members; neighbors; teachers, principals and school staff; coaches and former teammates; current and past employers; community leaders and organizers; priests, ministers, reverends and other religious counselors; social and gang intervention workers; and probation, parole and police officers.

1. Contact Name: _____
Address _____
Phone Number: _____ email: _____
How You Know This Person _____

2. Contact Name: _____
Address _____
Phone Number: _____ email: _____
How You Know This Person _____

3. Contact Name: _____
Address _____
Phone Number: _____ email: _____
How You Know This Person _____

4. Contact Name: _____
Address _____
Phone Number: _____ email: _____
How You Know This Person _____

ADDENDUM NO. 1

**To Be Completed Only if You Are Currently Represented by an Attorney in
a Legal Proceeding Involving the Gang Injunction**

[This form must be completed and signed by your attorney]

Client Name: _____

Name of Attorney: _____

California Bar Number: _____

Name and Address of Law Office:

Phone Number: _____

Description of legal proceeding in which you represent client (including case name and number):

Please indicate below whether you:

Yes No

- Read the foregoing petition form and reviewed it with your client.
- Approved of your client submitting the completed petition to the District Attorney's Office for consideration.
- Authorize the District Attorney staff assigned to review your client's petition to contact your client directly, and to confirm information or obtain additional information from your client outside of your presence for purposes of evaluating your client's Petition.

Signature Date

ADDENDUM NO. 2
To Be Completed and Signed by Your Parent or Legal Guardian
If You Are Under the Age of 18

Minor's Name: _____

Name and Address of Parent or Legal Guardian:

Phone Number: _____

Legal relationship to the Minor Petitioner (i.e. Mother, Father, or Legal Guardian):

Please indicate below that you:

Yes No

- Read the foregoing petition form and reviewed it with the Minor Petitioner.
- Approved of the Minor Petitioner submitting the completed petition to the District Attorney's Office for consideration.
- Authorize the District Attorney staff assigned to review the minor's petition to contact the Minor Petitioner directly, and to confirm information or obtain additional information from the Minor Petitioner outside of your presence for purposes of evaluating the minor's petition.

Signature

Date