

1 KAMALA D. HARRIS
 Attorney General of California
 2 JONATHAN L. WOLFF
 Senior Assistant Attorney General
 3 DEBBIE VOROUS, State Bar No. 166884
 WILLIAM KWONG, State Bar No. 168010
 4 DANIELLE F. O'BANNON, State Bar No.
 207095
 5 KYLE A. LEWIS, State Bar No. 201041
 PATRICK R. MCKINNEY, State Bar No. 215228
 6 DAVID BRICE, State Bar No. 269443
 Deputy Attorneys General
 7 455 Golden Gate Avenue, Suite 11000
 San Francisco, CA 94102-7004
 8 Telephone: (415) 703-3035
 Fax: (415) 703-5843
 9 E-mail: Patrick.McKinney@doj.ca.gov
Attorneys for Defendants

Hanson Bridgett LLP
 JERROLD C. SCHAEFER, State Bar No. 39374
 PAUL B. MELLO, State Bar No. 179755
 WALTER R. SCHNEIDER, State Bar No. 173113
 MEGAN C. OLIVER, State Bar No. 256654
 SAMANTHA D. WOLFF, State Bar No. 240280
 RENJU P. JACOB, State Bar No. 242388
 PAUL B. GRUWELL, State Bar No. 252474
 425 Market Street, 26th Floor
 San Francisco, California 94105
 Telephone: (415) 777-3200
 Fax: (415) 541-9366
 E-mail: pmello@hansonbridgett.com

11 IN THE UNITED STATES DISTRICT COURTS
 12 FOR THE EASTERN DISTRICT OF CALIFORNIA
 13 AND THE NORTHERN DISTRICT OF CALIFORNIA
 14 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
 15 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

16 **RALPH COLEMAN, et al.,**
 17
 Plaintiffs,
 18
 v.
 19
 20 **EDMUND G. BROWN JR., et al.,**
 21
 Defendants.

2:90-cv-00520 LKK JFM P
THREE-JUDGE COURT

22 **MARCIANO PLATA, et al.,**
 23
 Plaintiffs,
 24
 v.
 25
 26 **EDMUND G. BROWN JR., et al.,**
 27
 Defendants.

C01-1351 TEH
THREE-JUDGE COURT
**DEFENDANTS' NOVEMBER 2011
 STATUS REPORT IN RESPONSE TO
 JUNE 30, 2011 ORDER**

1 Defendants submit this monthly status report on the state prison population. Exhibit A sets
 2 forth the current design capacity, population, and population as a percentage of design capacity
 3 for each state prison and for all state prisons combined.¹ On October 1st, California implemented
 4 a historic public safety realignment that will greatly reduce the state's prison population in the
 5 coming months. The figures in Exhibit A, which are based on data available as of November 9,
 6 2011, reflect that 140,041 inmates are housed in the state's adult institutions.² This total equates
 7 to a reduction of 4,147 inmates in California's prison population in approximately the first five
 8 weeks of realignment, as compared with the total population of 144,188 reported in Defendants'
 9 October 14, 2011 report. (*See* Dkt. No. 4099-1.)

10 The figures in Exhibit A do not alter Defendants' previously reported population
 11 projections. (*See* Sept. 15, 2011 Decl. of Ross Meier., Dkt. No. 4085-2, ¶¶ 3 & 4.) Defendants'
 12 current projections indicate that the in-state prison population will be reduced to 167% of design
 13 capacity about a month after the Court's December 27, 2011 benchmark. (*Id.* at ¶ 3.) These
 14 projections also indicate that the prison population will be further reduced to 155.4% of design
 15 capacity by the Court's June 27, 2012 benchmark. (*Id.* at ¶ 4.) Because the current projections
 16 indicate that Defendants will achieve these benchmarks at or near the dates set by the Court, there
 17 does not appear to be a need at this time to undertake additional crowding-reduction measures or
 18 ask for additional time to achieve compliance. (*See id.* at ¶ 5.)

19 Dated: November 15, 2011

HANSON BRIDGETT LLP

21 By: /s/ Paul B. Mello

PAUL B. MELLO

Attorneys for Defendants

24 ¹ Although Exhibit A reports design capacity and actual population in the aggregate and
 25 by institution, Defendants note that the Supreme Court recognized that the Court's order affords
 26 "the State flexibility to accommodate differences between institutions" and there is "no
 requirement that every facility comply with the 137.5% limit." *Brown v. Plata*, 131 S. Ct 1910,
 1940-41, 179 L. Ed. 2d 969, 1000 (U.S. 2011).

27 ² The data in Exhibit A is taken from CDCR's November 14th weekly population report,
 28 available on CDCR's web site at http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Population_Reports.html.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 15, 2011

KAMALA D. HARRIS
Attorney General of California

By: /s/ Patrick R. McKinney
PATRICK R. MCKINNEY
Deputy Attorney General
Attorneys for Defendants

CF1997CS0003
20553412.docx