

1 KAMALA D. HARRIS
Attorney General of the State of California
2 JONATHAN L. WOLFF
Senior Assistant Attorney General
3 JAY C. RUSSELL
PATRICK McKINNEY
4 Supervising Deputy Attorneys General
DEBBIE VOROUS - 166884
5 MANEESH SHARMA - 280084
Deputy Attorneys General
6 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
7 Telephone: (415) 703-5500
Facsimile: (415) 703-5843
8 Email: Patrick.McKinney@doj.ca.gov

HANSON BRIDGETT LLP
JERROLD C. SCHAEFER - 39374
PAUL B. MELLO - 179755
WALTER R. SCHNEIDER - 173113
SAMANTHA D. WOLFF - 240280
MEGAN OLIVER THOMPSON - 256654
425 Market Street, 26th Floor
San Francisco, California 94105
Telephone: (415) 777--3200
Facsimile: (415) 541-9366
pmello@hansonbridgett.com

9 Attorneys for Defendants

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11 **UNITED STATES DISTRICT COURT**
12 **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 EDMUND G. BROWN JR., et al.,
20 Defendants.

CASE NO. 2:90-cv-00520 LKK DAD P
THREE-JUDGE COURT

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

CASE NO. C01-1351 TEH
THREE-JUDGE COURT
**DEFENDANTS' RESPONSE TO
PLAINTIFFS' PROPOSED ORDER
SUBMITTED IN RESPONSE TO
JANUARY 13, 2014 ORDER**

1 The proposed orders submitted by the parties present a clear choice for the court.
2 Defendants' submission offers a balanced approach that combines additional in-state
3 capacity with several significant reform measures that will responsibly draw down the
4 state's prison population, protect public safety, and develop a framework for further
5 lasting reforms. Defendants' proposal also enables the State to invest millions in
6 recidivism reduction efforts through savings accrued under Senate Bill 105.

7 On the other hand, Plaintiffs' proposed order will result in the transfer of thousands
8 more inmates to private correctional facilities in other states, and thus the elimination of
9 any savings to the Recidivism Reduction Fund under Senate Bill 105.

10 The measures Defendants proposed in their filing were the result of careful
11 deliberations throughout the meet-and-confer process conducted with the court-
12 appointed facilitator. Adopting Defendants' proposed order will enable Defendants to
13 implement meaningful, long-term reforms while protecting public safety.

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15 DATED: January 28, 2014

KAMALA D. HARRIS
Attorney General of California

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

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20 DATED: January 28, 2014

HANSON BRIDGETT LLP

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By: /s/ Paul B. Mello
PAUL B. MELLO
Attorneys for Defendants

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