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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  
 19 v.  
 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  
 25 v.  
 26 **EDMUND G. BROWN JR., et al.,**  
 27 Defendants.

C01-1351 TEH  
**THREE-JUDGE COURT**  
**DECLARATION OF JAY ATKINSON IN  
 SUPPORT OF DEFENDANTS' JANUARY  
 2012 STATUS REPORT IN RESPONSE  
 TO JUNE 30, 2011 ORDER**

1 I, JAY ATKINSON, declare as follows:

2 1. I am the Chief of the Offender Information Services Branch for the California  
3 Department of Corrections and Rehabilitation (CDCR). I have been with the Offender  
4 Information Services Branch of CDCR since 1999, and have assisted in gathering data maintained  
5 by CDCR on numerous occasions. I am competent to testify to the matters set forth in this  
6 declaration, and if called upon to do so, I would and could so testify. I submit this declaration in  
7 support of Defendants' January 2012 Status Report to the Court's June 30, 2011 order.

8 2. As Chief of the Offender Information Services Branch, I am responsible for  
9 management and oversight of the Offender Information Services Branch that supplies research  
10 and analysis to CDCR and outside agencies regarding population estimates and projections. I am  
11 responsible for the development of CDCR's spring and fall population projections and I know  
12 how they are developed.

13 3. CDCR's most recent weekly report of population, which includes data through  
14 December 28, 2011, reflects that as of that date, the actual population for in-state adult  
15 institutions was 132,887 inmates, or 166.8% of design capacity. As comparison, there are 11,301  
16 fewer inmates than were housed in California's prisons as recently as October 11, 2011, when  
17 California's historic public safety realignment was implemented, and 18,149 fewer inmates than  
18 when the Court issued its January 12, 2010 prisoner reduction order.

19 4. The population reduction of 11,301 inmates since October 1, 2011 was achieved  
20 through a number of measures, but is primarily attributable to Assembly Bill 109, the landmark  
21 prison realignment legislation that went into effect on October 1, 2011.

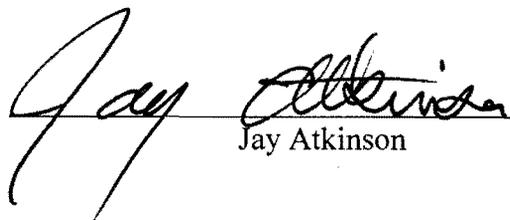
22 5. The individual measures summarized in Defendants' November 12, 2009  
23 population reduction plan have also contributed, to a lesser degree, to the population reduction of  
24 more than 18,000 inmates since January 2010. For example, Senate Bill 18 XXX (enacted  
25 January 2010) has reduced the prison population through enhanced sentencing credits, changes to  
26 parole rules which resulted in fewer parolees returning to state prison, funding for community-  
27 corrections programs to implement and expand evidence-based programs for felony probationers,  
28 and by redefining certain crimes so that fewer crimes result in felony convictions and prison

1 sentences.

2 6. Realignment and one or more of the population reduction measures summarized in  
3 Defendants' November 12, 2009 plan may have had an effect on why a particular inmate was not  
4 sentenced or returned to state prison, and thus reduced the prison population. Although it is not  
5 possible to specify the precise population associated with each of these measures, they have all  
6 contributed to the reductions in prisons crowding that Defendants have achieved.

7 7. CDCR is currently preparing the spring 2012 population projection, and expects to  
8 have updated projections at the end of February 2012. Defendants will refine their projection  
9 concerning the June 27, 2012 benchmark once the spring 2012 population projection is complete.

10 I declare under the penalty of perjury under the laws of the State of California that the  
11 foregoing is true and correct. Executed in Sacramento, California on January 6, 2012.

12  
13   
14 Jay Atkinson

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