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SUPREME COURT RULES CALIFORNIA PRISON OVERCROWDING UNCONSTITUTIONAL

The Decision

Today the U.S. Supreme Court ruled that overcrowding in California's prisons results in cruel and unusual punishment in violation of the Eighth Amendment to the U.S. Constitution. Justice Kennedy's majority opinion concluded that "[w]ithout a reduction in overcrowding, there will be no efficacious remedy for the unconstitutional care of the sick and mentally ill in California's prisons."

The Supreme Court's ruling means the Governor must reduce the prison population by approximately 32,000 prisoners within the next two years.

"This landmark decision," states Donald Specter, who argued the case and is Director of the non-profit Prison Law Office, "will not only help prevent prisoners from dying of malpractice and neglect, but it will make the prisons safer for the staff, improve public safety and save the taxpayers billions of dollars."

Public Safety Impact

"California incarcerates many more prisoners than is necessary for the safety of the public," stated Jeanne Woodford, former warden and head of the California prison system. Alternative sanctions would result in a "prison system that is capable of providing essential services [and] safer communities," stated Woodford.

Eleven former prison system directors and six former federal judges supported the prisoners before the high court, stating that "chronic overcrowding makes prison systems unmanageable, unsafe and inhumane" and expressed confidence that "crowding can be reduced without jeopardizing public safety."

"The extraordinary friend-of-the-court support from state correctional and law enforcement leaders helped to show that overcrowding relief is a win-win situation for the public," said Michael W. Bien, Rosen, Bien & Galvan, LLP, counsel for the Coleman class of prisoners with serious mental illness at trial and in the Supreme Court. "Jamming people into massively overcrowded prisons is bad for public safety, and diverts billions of dollars into the prison system and away from community-based alternatives that have been proven to improve public safety."

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Background

The high Court affirmed a January 2010 ruling by a special panel of three federal judges that found that because of overcrowding “inmates are forced to wait months or years for medically necessary appointments and examinations and . . . seriously mentally ill inmates languish in horrific conditions without access to necessary mental health care, raising the acuity of mental illness throughout the system and increasing the risk of inmate suicide.” The same panel concluded, “In short, California’s prisons are bursting at the seams and are impossible to manage.”

The trial court held that the current overcrowded conditions prevent prisoners from receiving basic life-saving medical and mental health treatment and that all other measures to cure the deficiencies through over 70 orders over two decades had failed because of prison overcrowding. The court stated unequivocally, “the evidence is clear that the state’s continued failure to address the severe crowding in California’s prisons would perpetuate a criminogenic prison system that itself threatens public safety.”

The court made this ruling in two consolidated cases. In *Coleman v. Brown*, the trial court mandated reforms of the prison mental health system in 1995, and in *Plata v. Brown*, the state agreed in 2002 that it was providing constitutionally inadequate care, but has since failed to fix a terribly broken system, leading to the court appointment of a Receiver.

California has one of the largest prison systems in the world, currently housing more than 143,000 prisoners in facilities designed for less than 80,000. Approximately, two-thirds of the prisoners released fail to complete parole and are re-incarcerated within three years.

The ruling is consistent with Governor Jerry Brown’s realignment plan to reduce the prison population by 39,000 prisoners by transferring control of certain low level, non-violent offenders to the counties. Although the legislature has passed the realignment measure, its effect is stalled because of disputes over the State’s budget.

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