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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
 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' MAY 2012 STATUS
 REPORT IN RESPONSE TO JUNE 30,
 2011 ORDER**

1 Defendants achieved the Court's June 27, 2012 prison-population benchmark more than
 2 two months early. The in-state prison population reached 155% of design bed capacity on April
 3 25, 2012. (See April 25, 2012 population report, available at http://www.cdcr.ca.gov/reports_research/Offender_Information_Services_Branch/WeeklyWed/TPOPIA/TPOPIAd120425.pdf.)
 4
 5 Since then, the prison population has continued to drop. Exhibit A sets forth the current design
 6 capacity, population, and population as a percentage of design capacity for each state prison and
 7 for all state prisons combined.¹ Exhibit A shows that as of May 9, 2012, 122,659 inmates were
 8 housed in the state's adult institutions, which amounts to 154.0% of design capacity.² This is
 9 21,529 fewer inmates than were housed in California's prisons as recently as October 1, 2011,
 10 when California's historic public safety realignment was implemented under Assembly Bill 109.
 11 (See Defendants' October 14, 2011 report, Dkt. Nos. 2407/4099-1.) Accordingly, there is no
 12 need at this time to undertake additional crowding-reduction measures to achieve compliance.
 13 (See March 15, 2012 Decl. of Ross Meier, Dkt. Nos. 2427/4165, ¶ 3.)

14 Dated: May 15, 2012

HANSON BRIDGETT LLP

15 By: */s/ Paul B. Mello*
 16 PAUL B. MELLO
 17 *Attorneys for Defendants*

18 Dated: May 15, 2012

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25 ¹ Although Exhibit A reports design capacity and actual population in the aggregate and
 26 by institution, Defendants note that the Supreme Court recognized that the Court's order affords
 27 "the State flexibility to accommodate differences between institutions" and there is "no
 28 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).

² The data in Exhibit A is taken from CDCR's May 14, 2012 weekly population report,
 which is available on CDCR's Web site at http://www.cdcr.ca.gov/reports_research/Offender_Information_Services_Branch/Population_Reports.html.