Executive Department

State of California

A PROCLAMATION

BY THE GOVERNOR OF THE STATE OF CALIFORNIA

WHEREAS, on October 4, 2006, Governor Schwarzenegger issued a Proclamation declaring a state of emergency in California's prison system due to severe inmate overcrowding. In the Proclamation, Governor Schwarzenegger found that the prison overcrowding crisis posed a "substantial risk to the health and safety of the men and women who work inside these prisons and the inmates housed in them."

WHEREAS, at the time of the Proclamation, the California Department of Corrections and Rehabilitation's inmate population was at an all-time high of more than 170,000 inmates, with approximately 161,000 inmates in CDCR's 33 prisons and another 9,000 inmates in its camps and contract prisons.

WHEREAS, at the time of the Proclamation, prison overcrowding had forced CDCR to house more than 15,000 inmates in gymnasiums, dayrooms, and other common areas not designed as living units, frequently in double or triple bunks. The large numbers of inmates housed together in tight quarters created line-of-sight problems for correctional officers by blocking their views and posing substantially increased risks of violence.

WHEREAS, at the time of the Proclamation, CDCR projected that its total inmate population in its prisons, camps, and contract prisons would grow to over 193,000 in 2011.

WHEREAS, in the Proclamation, Governor Schwarzenegger directed the CDCR Secretary to involuntarily transfer inmates to correctional facilities out of state as the Secretary deemed necessary to mitigate the emergency caused by prison overcrowding. Governor Schwarzenegger suspended applicable state laws to allow these involuntary inmate transfers to occur.

WHEREAS, in furtherance of this directive, CDCR entered into contracts with privately operated prisons in other states to house CDCR inmates. CDCR currently maintains about 8,900 inmates in out-of-state prisons under these contracts.

WHEREAS, since the date of the Proclamation, the State has undertaken several significant measures that have greatly relieved prison crowding and continue to do so. Among these measures, the 2011 Public Safety Realignment Act, which I signed into law in April 2011, has had the biggest and most immediate impact on reducing prison crowding.

WHEREAS, on October 1, 2011, the Public Safety Realignment Program went into effect. Under Realignment, lower-level felons now serve their sentences in county jails rather than state prisons. In addition, once offenders have served their sentences and are released from incarceration, if they violate the terms of their release, they serve any additional period of incarceration in county jail rather than state prison. Realignment has markedly reduced prison crowding without releasing any state inmates early. Since its implementation, the state prison population has dropped by approximately 24,925 inmates.

WHEREAS, currently, the number of inmates housed in CDCR's 33 prisons has been reduced by over 43,000 inmates from when the October 2006 Proclamation was issued to a current level of about 119,213.

WHEREAS, as a result of the dramatic decrease in the prison population under Realignment, last year CDCR was able to stop housing inmates in prison common areas that were not designed as living units. No longer are any inmates housed in gymnasiums, dayrooms, or other common areas.

WHEREAS, as a result of the greatly decreased prison population, CDCR's electrical system and sewer/wastewater systems are no longer being overloaded.

WHEREAS, in May 2007, the Legislature passed the Public Safety and Offender Rehabilitation Services Act, Assembly Bill 900, which provided funding for numerous state prison construction projects.

WHEREAS, since the date of the Proclamation, California has constructed and is constructing new health care facilities for inmates, including: new health care facilities at San Quentin and Avenal State Prisons, new Intermediate Care Facilities at Salinas Valley State Prison, California Institution for Women and California Medical Facility, new small management yards in Administrative Segregation Units throughout the State, a new 20-bed Psychiatric Services Unit at the California Institution for Women, a new 50-bed Mental Health Crisis Facility at California Men's Colony at San Luis Obispo, and new treatment and office spaces at California State Prison at Sacramento, California State Prison at Los Angeles County, California Men's Colony at San Luis Obispo, California Medical Facility at Vacaville, California State Prison at Corcoran, and Salinas Valley State Prison at Salinas.

WHEREAS, construction began in 2010 on a new 1.2 million square-foot intermediate medical and mental health care prison facility in Stockton. This new facility, which will house 1,722 inmates, is scheduled to be opened in July 2013.

WHEREAS, in 2012, the Legislature approved my administration's comprehensive plan (commonly called the "Blueprint") to further improve California's prison system following Realignment, while making it less costly and more efficient. Under the Blueprint, CDCR will no longer need to involuntarily transfer inmates to contract prisons in other states beyond July of this year. Moreover, under the Blueprint, CDCR's use of out-of-state contract beds will be incrementally reduced over the next few years and eliminated entirely by July 2016.

WHEREAS, prison crowding no longer poses safety risks to prison staff or inmates, nor does it inhibit the delivery of timely and effective health care services to inmates.

WHEREAS, due to the measures the State has taken to alleviate prison crowding, it is now clear that the circumstances that gave rise to the emergency no longer exist. The 2006 emergency proclamation does, however, need to remain in place until later this year to allow the final inmate transfers to out-of-state prisons to be completed. This will allow the out-of-state program to be incrementally decreased as called for in the Blueprint, and will ensure that the State's prison population density remains at appropriate levels.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and the statutes of the State of California, hereby proclaim that the October 4, 2006 Prison Overcrowding Emergency Proclamation is terminated, effective July 31, 2013; and

I FURTHER DIRECT that as soon as possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 8th day of January 2013.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State