

Sharon Bernstein

California's Prison Population Is Finally Down, But Will It Last?

[www.huffingtonpost.com/ 01/29/2015](http://www.huffingtonpost.com/01/29/2015)

SACRAMENTO, Calif., Jan 29 (Reuters) - After years of controversy and legal trouble because of overcrowding in California's mammoth prison system, the state's inmate population dipped below the maximum level set by a federal court for the first time on Thursday.

It is not yet clear whether the inmate count of 113,463 released Thursday, about 300 below the cap set by a panel of three federal judges, represents a permanent thinning of the prison population or is just a temporary reprieve for the state, which for years fought orders to bring the numbers down.

"It's an important milestone," said Michael Bien, a lead attorney in lawsuits aimed at forcing the state to reduce crowding that have gone all the way to the U.S. Supreme Court. "But it doesn't mean everything is fixed."

The administration of Democratic Governor Jerry Brown did not immediately comment on the population change, which was released as part of the state's regular weekly inmate count released Thursday.

Bien said the biggest factor in the population reduction was the implementation of a new law passed by voters last year that reclassified some crimes as misdemeanors that had previously been felonies. The law has meant reduced sentences for inmates serving time for those crimes. It also means that fewer convicts are being sent to prison in the first place.

But if the state does not implement additional reforms, he said, the number is likely to creep up again. He also said that while the overall population in the prisons has dropped, the state still has a shortage of psychiatric beds for inmates with mental health problems and other housing for inmates who need special accommodations.

Another factor in the reduction was a policy by Brown of transferring certain nonviolent offenders to the jurisdiction of local counties.

Last February, California won two additional years to reduce overcrowding in its prisons under an order issued by the panel of federal judges.

The panel, which oversees prison crowding cases in California, granted the extension to February 2016 because the state had promised to develop comprehensive reforms to its prison system, which at the time housed about 120,000 inmates in facilities designed to hold about 80,000.

If the population remains at the level reported on Thursday, the state will have met its goal a year ahead of the extension deadline. (Editing by Eric Walsh)