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2 IN THE UNITED STATES DISTRICT COURTS
3 FOR THE EASTERN DISTRICT OF CALIFORNIA
4 AND THE NORTHERN DISTRICT OF CALIFORNIA
5 UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES
6 PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE
7

8 RALPH COLEMAN, et al.,
9 Plaintiffs,

10 v.

11 EDMUND G. BROWN JR., et al.,
12 Defendants.

NO. 2:90-cv-0520 KJM DAD (PC)

THREE-JUDGE COURT

13
14 MARCIANO PLATA, et al.,
15 Plaintiffs,

16 v.

17 EDMUND G. BROWN JR., et al.,
18 Defendants.

NO. C01-1351 TEH

THREE-JUDGE COURT

**ORDER GRANTING IN PART
PLAINTIFFS' MOTION FOR
FURTHER ENFORCEMENT
ORDER**

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20 Having carefully reviewed the parties' arguments, as well as this Court's order for
21 defendants to "immediately implement" specific population reduction measures, Feb. 10,
22 2014 Order at 3 (ECF No. 2766/5060),¹ this Court now GRANTS IN PART Plaintiffs'
23 motion for an order for further enforcement (ECF No. 2812/5220). Plaintiffs asked that
24 defendants be ordered to: (1) implement 2-for-1 credits for minimum custody inmates who
25 are ineligible for fire camps; (2) grant 33.3% credits to all non-violent second strikers,

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27 ¹All filings in this Three-Judge Court are included in the individual docket sheets of
28 both *Plata v. Brown*, No. C01-1351 TEH (N.D. Cal.), and *Coleman v. Brown*, No. 2:90-cv-
0520-KJM DAD (PC) (E.D. Cal.). This Court includes the docket number of *Plata* first, then
Coleman.

1 including those with a prior sex offense; and (3) implement new parole procedures for non-
2 violent second-strikers by January 1, 2015.

3 The Court now GRANTS the third part of plaintiffs’ motion. IT IS HEREBY
4 ORDERED that defendants shall, on or before **January 1, 2015**, complete creation and
5 commence operation of “a new parole determination process through which non-violent
6 second-strikers will be eligible for parole consideration by the Board of Parole Hearings once
7 they have served 50% of their sentence.” Feb. 10, 2014 Order at 3. The record contains no
8 evidence that defendants cannot implement the required parole process by that date, eleven
9 months after they agreed to do so “promptly,” Defs.’ Jan. 23, 2014 Proposed Order at 2 (ECF
10 No. 2755/5023) and were ordered to do so “immediately,” Feb. 10, 2014 Order at 3.
11 Defendants shall file a report describing the new parole process, including an estimate of the
12 number of inmates who will be affected, on or before **December 1, 2014**.

13 The Compliance Officer shall continue conferring with the parties regarding
14 plaintiffs’ first two requests, which remain under submission. The parties shall file a


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1 stipulation and proposed order if they are able to reach agreement. If they cannot, then they
2 shall file a joint statement narrowing their disputes as much as possible.

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IT IS SO ORDERED.

Dated: 11/14/14




STEPHEN REINHARDT
UNITED STATES CIRCUIT JUDGE
NINTH CIRCUIT COURT OF APPEALS

Dated: 11/14/14



THELTON E. HENDERSON
SENIOR UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA

Dated: 11/14/14



KIMBERLY J. MUELLER
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF CALIFORNIA