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California prison case goes to Supreme Court

The justices agree to hear an appeal from Gov. Arnold Schwarzenegger on whether federal judges can force the state to order the release of 46,000 inmates to relieve overcrowding.

By David G. Savage, Los Angeles Times

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Reporting from Washington

The U.S. Supreme Court agreed Monday to hear an appeal from California Gov. Arnold Schwarzenegger and decide whether the state can be forced to release 46,000 inmates -- more than one-fourth of its prison population -- to relieve overcrowding.

The court's intervention is a victory for the governor and state prison officials, and it puts a judicial order on hold, at least until this fall.

At issue is whether federal judges have the power to order the release of state prisoners as a necessary means of curing a constitutional violation.

A special panel of three judges ruled last year that inmates in the state's 33 prisons were being denied adequate medical care as required by the Constitution. Because overcrowding was the "primary cause," they ordered the state to cap its prison population at 137% of capacity. That would require releasing about 46,000 inmates over the next two years.

Currently, California has about 165,000 inmates in its state prisons.

But the governor and a group of Republican lawmakers appealed, arguing that the judges had overstepped their authority under a federal law that was intended to restrict lawsuits over prisons. In his appeal, Schwarzenegger said the judges had "entered an unprecedented order that intrudes on the State's authority over its prison system and constrains the State's ability to respond to problems within its prison system."

The justices voted to hear arguments in the case of Schwarzenegger vs. Plata during the fall.

The case is the latest in which judges in California have issued orders in response to evidence of crowding and inadequate treatment. Federal court officials set up the three-judge panel to consider claims that had arisen in different parts of the state. It consisted of U.S. District Judges Thelton Henderson from San Francisco and Lawrence Karlton from Sacramento and U.S. Appeals Court Judge Stephen Reinhardt from Los Angeles.