

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 10, 2025

**SENATE BILL**

**No. 672**

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**Introduced by Senator Rubio**  
**(Coauthors: Senators ~~Becker and Menjivar~~ Becker, Durazo,**  
**Menjivar, and Pérez)**

February 21, 2025

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An act to amend Section 3051 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, as amended, Rubio. The Youth Rehabilitation and Opportunity Act.

Existing law requires the Board of Parole Hearings to conduct a youth offender parole hearing for offenders sentenced to state prison who committed specified crimes when they were under 25 years of age. Existing law makes a person who was convicted of a controlling offense that was committed when the person was under 18 years of age and for which the sentence is life without the possibility of parole eligible for release on parole at a youth offender hearing by the board during the person's 25th year of incarceration. *Existing law specifies that these provisions do not alter the rights of a victim at a parole hearing.*

Under existing law, a murder perpetrated by specified means or under certain circumstances is defined as murder of the first degree. Existing law, as added by Proposition 7, an initiative measure approved by the voters at the November 7, 1978, statewide general election, requires that a person convicted of first-degree murder be subject to death or confinement in prison for a term of life without the possibility of parole in any case in which specified special circumstances are charged and

found to be true. Proposition 7 does not provide for amendment by the Legislature.

This bill, the Youth Rehabilitation and Opportunity Act, would instead make a person who was convicted of a controlling offense that was committed when the person was 25 years of age or younger and for which they were sentenced to life without the possibility of parole eligible for parole after their 25th year of incarceration, except as specified. The bill would require the board to complete, by January 1, 2028, all hearings for individuals who are or will be entitled to have their parole suitability considered at a youth offender parole hearing by these ~~provisions~~: *provisions, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known, and may be cited, as the  
2 Youth Rehabilitation and Opportunity Act.  
3 SEC. 2. Section 3051 of the Penal Code is amended to read:  
4 3051. (a) (1) (A) A youth offender parole hearing is a hearing  
5 by the Board of Parole Hearings for the purpose of reviewing the  
6 parole suitability of any prisoner who was 25 years of age or  
7 younger at the time of the controlling offense.  
8 (B) *The board shall conduct a hearing under this section in*  
9 *accordance with the public safety standards described in*  
10 *paragraph (1) of subdivision (b) of Section 3041.*  
11 (2) For the purposes of this section, the following definitions  
12 shall apply:  
13 (A) “Incarceration” means detention in a city or county jail,  
14 local juvenile facility, mental health facility, Division of Juvenile  
15 Justice facility, or Department of Corrections and Rehabilitation  
16 facility.  
17 (B) “Controlling offense” means the offense or enhancement  
18 for which a sentencing court imposed the longest term of  
19 imprisonment.  
20 (C) “Youth parole eligible date” is the earliest date upon which  
21 a youth offender is eligible for release on parole at a youth offender  
22 parole hearing. Except as provided in subdivision (i) and Section  
23 3051.1, a youth offender is entitled to their initial youth offender  
24 parole hearing within six months of their youth parole eligible

1 date, as determined in subdivision (b), unless previously released  
2 or entitled to an earlier parole consideration hearing pursuant to  
3 any other law.

4 (b) (1) A person who was convicted of a controlling offense  
5 that was committed when they were 25 years of age or younger  
6 and for which the sentence is a determinate sentence shall be  
7 eligible for release on parole at a youth offender parole hearing  
8 during their 15th year of incarceration. The youth parole eligible  
9 date for a person eligible for a youth offender parole hearing under  
10 this paragraph shall be the first day of their 15th year of  
11 incarceration.

12 (2) A person who was convicted of a controlling offense that  
13 was committed when they were 25 years of age or younger and  
14 for which the sentence is a life term of less than 25 years to life  
15 shall be eligible for release on parole at a youth offender parole  
16 hearing during their 20th year of incarceration. The youth parole  
17 eligible date for a person eligible for a youth offender parole  
18 hearing under this paragraph shall be the first day of their 20th  
19 year of incarceration.

20 (3) A person who was convicted of a controlling offense that  
21 was committed when they were 25 years of age or younger and  
22 for which the sentence is a life term of 25 years to life shall be  
23 eligible for release on parole at a youth offender parole hearing  
24 during their 25th year of incarceration. The youth parole eligible  
25 date for a person eligible for a youth offender parole hearing under  
26 this paragraph shall be the first day of their 25th year of  
27 incarceration.

28 (4) A person who was convicted of a controlling offense that  
29 was committed when they were 25 years of age or younger and  
30 for which the sentence is life without the possibility of parole shall  
31 be eligible for release on parole at a youth offender parole hearing  
32 during their 25th year of incarceration. The youth parole eligible  
33 date for a person eligible for a youth offender parole hearing under  
34 this paragraph shall be the first day of their 25th year of  
35 incarceration. This section does not apply to a person who  
36 committed the controlling offense when they were 18 years of age  
37 or older at the time of the crime and ~~was~~ *were* convicted of ~~special~~  
38 *any of the following offenses:*

1 (A) *Special circumstance murder of a peace officer or federal*  
2 *law enforcement officer or agent pursuant to paragraph (7) or (8)*  
3 *of subdivision (a) of Section 190.2.*

4 (B) *A sex offense committed during the course of murder in the*  
5 *first degree with special circumstances pursuant to paragraph*  
6 *(17) of subdivision (a) of Section 190.2.*

7 (C) *Special circumstance murder that was intentional and*  
8 *involved the infliction of torture pursuant to paragraph (18) of*  
9 *subdivision (a) of Section 190.2.*

10 (D) (i) *First-degree murder as the actual killer if three or more*  
11 *people are killed in a shooting incident at a school or place of*  
12 *worship.*

13 (ii) *For purposes of this subparagraph, a school includes a*  
14 *public or private prekindergarten school, K–12 school, and*  
15 *postsecondary educational institution.*

16 (c) An individual subject to this section shall meet with the  
17 board pursuant to subdivision (a) of Section 3041.

18 (d) The board shall conduct a youth offender parole hearing to  
19 consider release. At the youth offender parole hearing, the board  
20 shall release the individual on parole as provided in Section 3041,  
21 except that the board shall act in accordance with subdivision (c)  
22 of Section 4801.

23 (e) The youth offender parole hearing to consider release shall  
24 provide for a meaningful opportunity to obtain release. The board  
25 shall review and, as necessary, revise existing regulations and  
26 adopt new regulations regarding determinations of suitability made  
27 pursuant to this section, subdivision (c) of Section 4801, and other  
28 related topics, consistent with relevant case law, in order to provide  
29 that meaningful opportunity for release.

30 (f) (1) In assessing growth and maturity, psychological  
31 evaluations and risk assessment instruments, if used by the board,  
32 shall be administered by licensed psychologists employed by the  
33 board and shall take into consideration the diminished culpability  
34 of youth as compared to that of adults, the hallmark features of  
35 youth, and subsequent growth and increased maturity of the  
36 individual.

37 (2) Family members, friends, school personnel, faith leaders,  
38 and representatives from community-based organizations with  
39 knowledge about the individual before the crime or the individual's

1 growth and maturity since the time of the crime may submit  
2 statements for review by the board.

3 ~~(3) This section does not alter the rights of victims at parole~~  
4 ~~hearings.~~

5 (3) (A) *The board shall conduct a proceeding under this section*  
6 *in accordance with all constitutional and statutory rights of a*  
7 *registered victim and their next of kin under California law,*  
8 *including, but not limited to, the rights to notification described*  
9 *in paragraph (1) of subdivision (a) of Section 3043, to appear*  
10 *personally or by counsel and to adequately and reasonably express*  
11 *their views pursuant to paragraph (1) of subdivision (b) of Section*  
12 *3043, and to have the board consider their entire and uninterrupted*  
13 *statement in deciding whether to release the person on parole*  
14 *pursuant to subdivision (d) of Section 3043.*

15 (B) *The Board of Parole Hearings or its successor is responsible*  
16 *for protecting victims' rights in the parole process pursuant to*  
17 *Section 3044.*

18 (g) If parole is not granted, the board shall set the time for a  
19 subsequent youth offender parole hearing in accordance with  
20 paragraph (3) of subdivision (b) of Section 3041.5. In exercising  
21 its discretion pursuant to paragraph (4) of subdivision (b) and  
22 subdivision (d) of Section 3041.5, the board shall consider the  
23 factors in subdivision (c) of Section 4801. A subsequent youth  
24 offender parole hearing shall not be necessary if the offender is  
25 released pursuant to any other law prior to the date of the  
26 subsequent hearing.

27 (h) This section does not apply to cases in which sentencing  
28 occurs pursuant to Section 1170.12, subdivisions (b) to (i),  
29 inclusive, of Section 667, or Section 667.61. This section does not  
30 apply to an individual to whom this section would otherwise apply,  
31 but who, subsequent to attaining 26 years of age, commits an  
32 additional crime for which malice aforethought is a necessary  
33 element of the crime or for which the individual is sentenced to  
34 life in prison.

35 (i) (1) The board shall complete all youth offender parole  
36 hearings for individuals who became entitled to have their parole  
37 suitability considered at a youth offender parole hearing prior to  
38 January 1, 2014, by July 1, 2015.

39 (2) (A) The board shall complete all youth offender parole  
40 hearings for individuals who were sentenced to indeterminate life

1 terms and who become entitled to have their parole suitability  
2 considered at a youth offender parole hearing on January 1, 2016,  
3 by July 1, 2017.

4 (B) The board shall complete all youth offender parole hearings  
5 for individuals who were sentenced to determinate terms and who  
6 become entitled to have their parole suitability considered at a  
7 youth offender parole hearing on January 1, 2016, by July 1, 2021.  
8 The board shall, for all individuals described in this subparagraph,  
9 conduct the consultation described in subdivision (a) of Section  
10 3041 before July 1, 2017.

11 (3) (A) The board shall complete all youth offender parole  
12 hearings for individuals who were sentenced to indeterminate life  
13 terms and who become entitled to have their parole suitability  
14 considered at a youth offender parole hearing on January 1, 2018,  
15 by January 1, 2020.

16 (B) The board shall complete all youth offender parole hearings  
17 for individuals who were sentenced to determinate terms and who  
18 become entitled to have their parole suitability considered at a  
19 youth offender parole hearing on January 1, 2018, by January 1,  
20 2022. The board shall, for all individuals described in this  
21 subparagraph, conduct the consultation described in subdivision  
22 (a) of Section 3041 before January 1, 2019.

23 (4) The board shall complete, by July 1, 2020, all youth offender  
24 parole hearings for individuals who were sentenced to terms of  
25 life without the possibility of parole before the person had attained  
26 18 years of age and who are or will be entitled to have their parole  
27 suitability considered at a youth offender parole hearing before  
28 July 1, 2020.

29 (5) The board shall complete, by January 1, 2028, all youth  
30 offender parole hearings for individuals who were sentenced to  
31 terms of life without the possibility of parole and who are or will  
32 be entitled to have their parole suitability considered at a youth  
33 offender parole hearing before January 1, 2028.

34 (j) The Secretary of the Department of Corrections and  
35 Rehabilitation may authorize a person described in paragraphs (1)  
36 to (3), inclusive, of subdivision (b) to obtain an earlier youth parole  
37 eligible date by adopting regulations pursuant to subdivision (b)  
38 of Section 32 of Article I of the California Constitution.

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