

AMENDED IN ASSEMBLY JUNE 13, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 10, 2025

SENATE BILL

No. 672

Introduced by Senator Rubio
(Coauthors: Senators Becker, Durazo, Menjivar, and Pérez) Pérez,
and Weber Pierson)

February 21, 2025

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, 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 paragraph
10 (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

1 parole hearing within six months of their youth parole eligible
2 date, as determined in subdivision (b), unless previously released
3 or entitled to an earlier parole consideration hearing pursuant to
4 any other law.

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

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

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

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

1 (A) *Special circumstance murder committed by means of a*
2 *destructive device, bomb, or explosive pursuant to paragraph (4)*
3 *or (6) of subdivision (a) of Section 190.2.*

4 ~~(A)~~

5 (B) *Special circumstance murder of a peace officer or federal*
6 *law enforcement officer or agent pursuant to paragraph (7) or (8)*
7 *of subdivision (a) of Section 190.2.*

8 (C) *Special circumstance murder of a firefighter pursuant to*
9 *paragraph (9) of subdivision (a) of Section 190.2.*

10 (D) *Special circumstance murder of a witness to a crime*
11 *pursuant to paragraph (10) of subdivision (a) of Section 190.2.*

12 (E) *Special circumstance murder of a prosecutor pursuant to*
13 *paragraph (11) of subdivision (a) of Section 190.2.*

14 (F) *Special circumstance murder of a judge pursuant to*
15 *paragraph (12) of subdivision (a) of Section 190.2.*

16 (G) *Special circumstance murder of a government official*
17 *pursuant to paragraph (13) of subdivision (a) of Section 190.2.*

18 (H) *Special circumstance murder in which the victim was*
19 *intentionally killed because of their race, color, religion,*
20 *nationality, or country of origin pursuant to paragraph (16) of*
21 *subdivision (a) of Section 190.2 or murder that is a hate crime, as*
22 *defined in Section 422.55.*

23 ~~(B)~~

24 (I) *A sex offense committed during the course of murder in the*
25 *first degree with special circumstances pursuant to paragraph (17)*
26 *of subdivision (a) of Section 190.2.*

27 ~~(C)~~

28 (J) *Special circumstance murder that was intentional and*
29 *involved the infliction of torture pursuant to paragraph (18) of*
30 *subdivision (a) of Section 190.2.*

31 (K) *Special circumstance murder of a juror pursuant to*
32 *paragraph (20) of subdivision (a) of Section 190.2.*

33 ~~(D) (i)~~

34 (L) *First-degree murder as the actual killer if three two or more*
35 *people are killed in a shooting incident at a school or place of*
36 *worship. incident.*

37 ~~(ii) For purposes of this subparagraph, a school includes a public~~
38 ~~or private prekindergarten school, K-12 school, and postsecondary~~
39 ~~educational institution.~~

40 (M) *Intentional murder of a child 12 years of age or younger.*

1 (N) *Murder that is an act of domestic violence, as defined in*
2 *Section 13700.*

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

5 (d) The board shall conduct a youth offender parole hearing to
6 consider release. At the youth offender parole hearing, the board
7 shall release the individual on parole as provided in Section 3041,
8 except that the board shall act in accordance with subdivision (c)
9 of Section 4801.

10 (e) The youth offender parole hearing to consider release shall
11 provide for a meaningful opportunity to obtain release. The board
12 shall review and, as necessary, revise existing regulations and
13 adopt new regulations regarding determinations of suitability made
14 pursuant to this section, subdivision (c) of Section 4801, and other
15 related topics, consistent with relevant case law, in order to provide
16 that meaningful opportunity for release.

17 (f) (1) In assessing growth and maturity, psychological
18 evaluations and risk assessment instruments, if used by the board,
19 shall be administered by licensed psychologists employed by the
20 board and shall take into consideration the diminished culpability
21 of youth as compared to that of adults, the hallmark features of
22 youth, and subsequent growth and increased maturity of the
23 individual.

24 (2) Family members, friends, school personnel, faith leaders,
25 and representatives from community-based organizations with
26 knowledge about the individual before the crime or the individual's
27 growth and maturity since the time of the crime may submit
28 statements for review by the board.

29 (3) (A) The board shall conduct a proceeding under this section
30 in accordance with all constitutional and statutory rights of a
31 registered victim and their next of kin under California law,
32 including, but not limited to, the rights to notification described
33 in paragraph (1) of subdivision (a) of Section 3043, to appear
34 personally or by counsel and to adequately and reasonably express
35 their views pursuant to paragraph (1) of subdivision (b) of Section
36 3043, and to have the board consider their entire and uninterrupted
37 statement in deciding whether to release the person on parole
38 pursuant to subdivision (d) of Section 3043.

1 (B) The Board of Parole Hearings or its successor is responsible
2 for protecting victims' rights in the parole process pursuant to
3 Section 3044.

4 (g) If parole is not granted, the board shall set the time for a
5 subsequent youth offender parole hearing in accordance with
6 paragraph (3) of subdivision (b) of Section 3041.5. In exercising
7 its discretion pursuant to paragraph (4) of subdivision (b) and
8 subdivision (d) of Section 3041.5, the board shall consider the
9 factors in subdivision (c) of Section 4801. A subsequent youth
10 offender parole hearing shall not be necessary if the offender is
11 released pursuant to any other law prior to the date of the
12 subsequent hearing.

13 (h) This section does not apply to cases in which sentencing
14 occurs pursuant to Section 1170.12, subdivisions (b) to (i),
15 inclusive, of Section 667, or Section 667.61. This section does not
16 apply to an individual to whom this section would otherwise apply,
17 but who, subsequent to attaining 26 years of age, commits an
18 additional crime for which malice aforethought is a necessary
19 element of the crime or for which the individual is sentenced to
20 life in prison.

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

25 (2) (A) The board shall complete all youth offender parole
26 hearings for individuals who were sentenced to indeterminate life
27 terms and who become entitled to have their parole suitability
28 considered at a youth offender parole hearing on January 1, 2016,
29 by July 1, 2017.

30 (B) The board shall complete all youth offender parole hearings
31 for individuals who were sentenced to determinate terms and who
32 become entitled to have their parole suitability considered at a
33 youth offender parole hearing on January 1, 2016, by July 1, 2021.
34 The board shall, for all individuals described in this subparagraph,
35 conduct the consultation described in subdivision (a) of Section
36 3041 before July 1, 2017.

37 (3) (A) The board shall complete all youth offender parole
38 hearings for individuals who were sentenced to indeterminate life
39 terms and who become entitled to have their parole suitability

1 considered at a youth offender parole hearing on January 1, 2018,
2 by January 1, 2020.

3 (B) The board shall complete all youth offender parole hearings
4 for individuals who were sentenced to determinate terms and who
5 become entitled to have their parole suitability considered at a
6 youth offender parole hearing on January 1, 2018, by January 1,
7 2022. The board shall, for all individuals described in this
8 subparagraph, conduct the consultation described in subdivision
9 (a) of Section 3041 before January 1, 2019.

10 (4) The board shall complete, by July 1, 2020, all youth offender
11 parole hearings for individuals who were sentenced to terms of
12 life without the possibility of parole before the person had attained
13 18 years of age and who are or will be entitled to have their parole
14 suitability considered at a youth offender parole hearing before
15 July 1, 2020.

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

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