

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 16, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1276

Introduced by Assembly Member Bloom

February 22, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1276, as amended, Bloom. Parole: juvenile offenders.

Existing law generally regulates the granting and conditioning of parole, and places the duty to monitor parolees on the Department of Corrections and Rehabilitation, Division of Adult Parole Operations. Existing law specifies the procedures that the Board of Parole Hearings must follow in granting, denying, or revoking parole.

This bill would require, except as otherwise provided by law, a person who was convicted of a nonhomicide offense that was committed before the person had attained 18 years of age to be eligible for consideration for parole after serving *20 or 25* years in state prison, *as specified*. The bill would state that it is the intent of the Legislature to provide a meaningful opportunity to obtain release according to the standards set forth by the California Supreme Court in *People v. Caballero*.

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. Section 3051 is added to the Penal Code, to read:

1 3051. (a) Except as otherwise provided by law, a person who
2 was convicted of a nonhomicide offense that was committed before
3 the person had attained 18 years of age shall be eligible for
4 consideration for parole pursuant to this article after serving 25
5 years in state prison. *However, if the person was sentenced to less*
6 *than 40 years of imprisonment, the person shall be eligible for*
7 *consideration for parole pursuant to this article after serving 20*
8 *years in state prison.* Subsequent parole hearings shall be set
9 according to Section 3041.5.

10 (b) It is the intent of the Legislature to provide a meaningful
11 opportunity to obtain release according to the standards set forth
12 by the California Supreme Court in *People v. Caballero* (2012) 55
13 Cal.4th 262.

14 (c) This section does not prohibit the imposition of a life
15 sentence for juveniles convicted of homicide and does not prohibit
16 or modify the parole procedures for adult offenders. This section
17 does not limit the access of juvenile offenders to other programs
18 and appeals that they were eligible for prior to the enactment of
19 this section.