

AMENDED IN SENATE APRIL 9, 2025

SENATE BILL

No. 356

Introduced by Senator Jones

February 12, 2025

An act to amend Section 3046 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 356, as amended, Jones. Parole hearings: use of photographs.

Existing law punishes specified crimes, including, among others, some forms of murder and rape, with imprisonment in the state prison for life with the possibility of parole. Existing law states that an inmate imprisoned under a life sentence shall not be paroled until they have served the greater of either 7 years or the minimum term set in their sentence. Existing law requires the Board of Parole Hearings to, in considering a parole for an inmate, consider all statements and recommendations which may have been submitted by the judge, district attorney, and sheriff, as specified, and recommendations of other persons interested in the granting or denying of parole.

This bill would require the board to consider in a parole suitability hearing for an inmate imprisoned under a life sentence specified ~~written statements, documents, online materials, and photographs that are relevant to determining parole suitability.~~ *photographs.*

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 3046 of the Penal Code is amended to
2 read:

1 3046. (a) An inmate imprisoned under a life sentence shall
2 not be paroled until they have served the greater of the following:

3 (1) A term of at least seven calendar years.

4 (2) A term as established pursuant to any other law that
5 establishes a minimum term or minimum period of confinement
6 under a life sentence before eligibility for parole.

7 (b) If two or more life sentences are ordered to run consecutively
8 to each other pursuant to Section 669, an inmate so imprisoned
9 shall not be paroled until they have served the term specified in
10 subdivision (a) on each of the life sentences that are ordered to run
11 consecutively.

12 (c) Notwithstanding subdivisions (a) and (b), an inmate found
13 suitable for parole pursuant to a youth offender parole hearing as
14 described in Section 3051 or an elderly parole hearing as described
15 in Section 3055 shall be paroled regardless of the manner in which
16 the board set release dates pursuant to subdivision (a) of Section
17 3041, subject to subdivision (b) of Section 3041 and Sections
18 3041.1 and 3041.2, as applicable.

19 (d) The Board of Parole Hearings shall, in considering a parole
20 for an inmate, consider all statements and recommendations which
21 may have been submitted by the judge, district attorney, and sheriff,
22 pursuant to Section 1203.01, or in response to notices given under
23 Section 3042, and recommendations of other persons interested
24 in the granting or denying of parole. The submitted statements and
25 recommendations that shall be considered in a parole hearing
26 include, but are not limited to, ~~written statements, photographs,~~
27 ~~crime scene photographs, autopsy photographs, and photographs~~
28 ~~of weapons used in the crime, photographs of the inmate,~~
29 ~~photographs of the victim, police reports, investigative reports,~~
30 ~~autopsy reports, victim and witness statements, court transcripts,~~
31 ~~court documents, printed media articles, social media postings,~~
32 ~~online petitions, business records, and any other documents or~~
33 ~~photographs relevant to determining parole suitability.~~ *crime*. The
34 board shall enter on its order granting or denying parole to these
35 inmates, the fact that the statements and recommendations have
36 been considered by it.