



FACT SHEET

Proposed California Board of Parole Hearings Regulations Creating a New Release Pathway for LWOP and Other Violent Offenders

What Is Happening?

The California Board of Parole Hearings (BPH) has adopted proposed regulations that would create an entirely new process, allowing the Board to recommend sentence reductions and commutations for inmates who have served at least 25 years in prison.

The regulations are now pending review by the Office of Administrative Law (OAL).

Expected Effective Date: October 2026 or January 2027.

Who Could Be Eligible?

Under the proposed regulations, inmates become eligible for review after serving 25 years. The regulations would apply to inmates serving:

- Life Without the Possibility of Parole (LWOP)
- Long-term life sentences
- Other lengthy prison terms

Only a Few Types of Inmates Are Excluded

The regulations exclude only:

- Death-sentenced inmates
- Certain convicted sex offenders required to register under PC 290
- Some inmates who are already approaching a parole hearing

Many of California's most serious offenders could otherwise be eligible.

Examples include:

- Child murderers
 - Serial killers
 - Mass shooters
 - Torture murderers
 - Gang-motivated murderers
 - Hate-crime murderers
 - Killers of police officers and firefighters
-

How Many Inmates Could Be Affected?

According to BPH documents:

- **2,456 inmates** would be immediately eligible when the regulations take effect.
- **3,959 inmates** are projected to become eligible by December 31, 2035.
- Reviews are expected to begin in **2027**, with hearings beginning in **2028**.

Why Are Victims Concerned?

These regulations raise significant concerns for victims, survivors, and families:

- **Re-Traumatization of Victims' Families**

Families who were told an offender would spend the rest of his or her life in prison may be forced to participate in new release proceedings decades after the crime.

- **Loss of Finality**

LWOP sentences were imposed to ensure offenders would never again seek release. These regulations undermine that expectation.

- **Additional Proceedings**

Victims may be required to participate in:

- BPH review hearings
- Resentencing proceedings
- Commutation proceedings
- Appeals and related litigation

- **Reduced Confidence in the Justice System**

Many victims believe the regulations fundamentally change sentences imposed by courts and juries without legislative approval.

Key Legal Concerns

The Criminal Justice Legal Foundation (CJLF) is evaluating potential legal challenges, including:

- Lack of statutory authority for BPH to create this process
 - Creation of a de facto parole system through bureaucratic regulations
 - Conflicts with Life Without Parole sentencing laws
 - Separation of powers concerns
 - Potential conflicts with Marsy's Law and victims' rights protections
 - Violations of California's Administrative Procedure Act
-

How You Can Help

Join the Coalition

CJLF is building a statewide coalition of:

- Victim advocacy organizations
- Crime survivors
- Law enforcement associations
- Prosecutors
- Public safety advocates

Identify Impacted Cases

We are seeking examples of victims and families who could be affected by these regulations.

Participate in Public Education Efforts

Help raise awareness about the impact these regulations could have on victims and public safety.

Support Potential Litigation

CJLF is evaluating legal options and seeks victims willing to share their stories and experiences.

CONTACT:

Anne Marie Schubert

President & CEO

Criminal Justice Legal Foundation

A.Schubert@cjlf.org

Irma Abella

I.Abella@cjlf.org

General Inquiries:

admin@cjlf.org

Criminal Justice Legal Foundation (CJLF)

Protecting Victims' Rights • Promoting Public Safety • Preserving Accountability
