

Form to contest disqualification by BPH as a "youth offender" under California Penal Code section 3051.

TO CONTEST A PC § 3051 YOUTH OFFENDER DISQUALIFICATION, PLEASE COMPLETE THE FORM BELOW AND MAIL IT TO: **BOARD OF PAROLE HEARINGS, P.O. BOX 4036, SACRAMENTO, CA 95812**

PART ONE: What is the inmate's date of birth? _____

PART TWO:

1. For what **crime** did the inmate receive the longest single sentence (not including any enhancements)? _____
What was the length of the sentence for only that **crime**? _____

2. For what **single enhancement** did the inmate receive the longest single sentence? _____
What was the length of the sentence for only that **enhancement**? _____

**If the sentence length in #1 is longer, then the CRIME listed in #1 is the "controlling offense."
If the sentence length in #2 is longer, then the ENHANCEMENT listed in #2 is the "controlling offense."**

PART THREE:

CIRCLE YOUR ANSWER:

Did the inmate commit the "controlling offense" after turning 23 years old?

NO

YES

(If **NO**, continue to Part Four)

(NOTE: if you circled "YES," the inmate does not qualify as a "youth offender")

PART FOUR:

CIRCLE YOUR ANSWER:

Was the inmate sentenced for the "controlling offense" under three strikes?

NO

YES

(If **NO**, continue to Part Five)

(NOTE: if you circled "YES," the inmate does not qualify as a "youth offender")

PART FIVE:

CIRCLE YOUR ANSWER:

Did the inmate commit any crimes after turning 23 for which a court sentenced him/her to a life term?

NO

YES

(If **NO**, continue to Part Six)

(NOTE: if you circled "YES," the inmate does not qualify as a "youth offender")

PART SIX:

CIRCLE YOUR ANSWER:

Did the inmate commit any of the crimes after turning 23 for which "malice aforethought" is a necessary element of the crime, as defined in the penal code?

NO

YES

(If **NO**, please submit this completed form to the Board of Parole Hearings for reconsideration, which may or may not result in a different determination.)

(NOTE: if you circled "YES," the inmate does not qualify as a "youth offender")

INMATE'S NAME: _____ **CDCR #:** _____ **DATE:** _____

PERSON COMPLETING FORM: _____ **SIGNATURE:** _____
(Print name of Inmate or Legal Representative)