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Parole Board Report - FUSL000145 (2021-04-16)

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STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
PAROLE BOARD REPORT

OTISVILLE CORRECTIONAL FACILITY

PAROLE BOARD TYPE/ DATE: REAPPEARANCE JULY 2021

NAME: [REDACTED]	RECEIVED DATE: 11/16/2007	CMC: A <input checked="" type="checkbox"/> B <input type="checkbox"/>
DOB: [REDACTED]	DIN: [REDACTED]	FBI: [REDACTED]
PE DATE: 05/19/2019	CR DATE: 05/19/2024	ME DATE: 05/19/2034

PRS: NA years PV NT: Yes No TIME ON PAROLE: NA TIME SERVED: 17-02-06

AT THE TIME THE INSTANT OFFENSE(S) WAS COMMITTED, WAS INMATE UNDER 18 YEARS OF AGE?

Yes No - If yes, enter age

CRIMES OF COMMITMENT, FELONY CLASSES, SENTENCE, PLEA OR VERDICT, COMMIT COUNTY

Grand Larceny- Not Auto 1 st		B	06-08-00/20-00-00	09/21/2007	Verdict	Queens
Grand Larceny- Not Auto 2 nd	(3 cts)	CC C	05-00-00/15-00-00	09/21/2007	Verdict	Queens
Scheme to Defraud 1 st		CC E	01-04-00/04-00-00	09/21/2007	Verdict	Queens
Grand Larceny- Not Auto 2 nd	(2 cts)	CSCC C	05-00-00/15-00-00	09/21/2007	Verdict	Queens
Scheme to Defraud 1 st		CC E	01-04-00/04-00-00	09/21/2007	Verdict	Queens
Grand Larceny- Not Auto 2 nd	(2 cts)	CSCC C	05-00-00/15-00-00	09/21/2007	Verdict	Queens
Scheme to Defraud 1 st		CC E	01-04-00/04-00-00	09/21/2007	Verdict	Queens

Aggregate Term: 15-00-00/ 30-00-00

EEC: ISSUED DENIED NON-CERTIFIABLE INELIGIBLE / N/A OFFICIAL STATEMENTS: JUDGE - Yes No DA - Yes No DEF ATTY - Yes No SENTENCING MINUTES: Yes No IF NO, DATE(S) REQUESTED:

CO-DEFENDANT: NAME/NYSID STATUS

None

DETAILED PRESENT OFFENSE: Indictment #s [REDACTED] Between February 17th, 2000 and May 25th, 2004, the subject, [REDACTED], impersonated a lawyer and participated in a scheme to defraud several victims of their money. [REDACTED] took \$100,000 from one victim, \$63,000 from another victim, and from a third victim he took \$1,047,000.

A fourth victim reported to authorities that the subject represented himself to be an attorney and took more than \$3,400,000 to invest at a promised rate of 26%. [REDACTED] refused to provide statements or return this victim's money upon request.

[REDACTED] also took more than \$900,000 from a fifth victim to purchase a building located at [REDACTED], Astoria, Queens, NY. [REDACTED] did not complete the purchase and failed to return to money to the victim. [REDACTED] also sold a laundromat for this victim for \$75,000 and only gave the victim \$12,000.

A sixth victim stated that on July 25, 2003, [REDACTED] represented himself as an attorney and represented the victim in the closing of the sale of a boat. [REDACTED] then showed the victim a building located at [REDACTED], Astoria, Queens, NY. On or about December 10th, 2003, the victim gave [REDACTED] \$450,000 for the purchase of said building. [REDACTED] did not purchase the building and did not return the funds to the victim. He did send checks to the victim but stopped payment on said checks.

The seventh victim gave [REDACTED] \$16,000 for the purchase of a house and bar. The purchases did not occur, and the subject did not return the money.

A Chief Management Analyst from the Attorney Registration Unit, NYS Office of Court Administration, informed detectives that [REDACTED] is not and was not licensed to practice law in the State of New York.

OFFENDER STATEMENT: The subject was interviewed at Otisville CF on 3/31/2021. He stated that he has a direct appeal pending, and that he believes he is going to have a "reversal of his conviction that has been delayed by the pandemic." The subject stated also stated "I am maintaining by innocence. I am financially independent and will not need financial assistance upon release. My family is very supportive. My children are professionals, a Doctor and a Physicians Assist, and with my wife they are going to help my transition back into the community. I have two books that I have written that I am working to have published." The subject also discussed his medical health "Have had several severe heart attacks and I have 4 stents placed in my main arteries. I take 17 meds daily and my conditions are not improving."

CRIMINAL HISTORY: Warrant: Yes No ICE: Yes No

IF YES, EXPLAIN: [REDACTED] is a native of Iran. Ice Warrant # [REDACTED]. Order of Deportation issued 06/13/2019. The deportation order is currently under appeal.

NEW YORK STATE - SEE ATTACHED PBCHR

JUVENILE: Yes No OUT OF STATE: Yes No FEDERAL: Yes No

IF YES, EXPLAIN:

COURT ORDERED RESTITUTION: Yes No

IF YES,

DATE	REASON	COUNTY/ORI	TOTAL	COLLECTED
09/21/2007	Mandatory Surcharge/ CVAF (439-05)	Queens	\$270.00	\$270.00
09/21/2007	Mandatory Surcharge/ CVAF (2096-04)	Queens	\$270.00	\$270.00
09/21/2007	Mandatory Surcharge/ CVAF (2434-05)	Queens	\$270.00	\$270.00

CERTIFICATE OF RELIEF: Eligible Ineligible Youthful Offender

INTERPRETER NEEDED: Yes No IF YES, LANGUAGE:

PROPOSED RESIDENCES:

PRIMARY:

[REDACTED] DATE: [REDACTED]

PROPOSED EMPLOYMENT: The subject reports that he has a consulting firm that he established prior [REDACTED] Associates. He states that he turned over ownership of the business to an associate prior to his incarceration, and he can return to it upon release. He states that he also has several options for employment.

A. Smith, ORC
A. Smith, ORC

4/16/21
Date:

Marlene Brooks, SORC
Marlene Brooks, SORC

4/16/21
Date:

ORC RECOMMENDED SPECIAL CONDITIONS

INMATE NAME: [REDACTED]	DIN: [REDACTED]	[REDACTED]
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- SC37** – Pursuant to the authority conferred upon the NYS Board of Parole, under Section 70.45(3) of the NYS Penal Law, to impose conditions of release upon an individual serving a determinate sentence who is to be released to the jurisdiction of the NYS Department of Corrections and Community Supervision, to serve a period of post-release supervision, it is hereby determined that as a condition of my post-release supervision, I shall be transferred to and participate in the programs of a residential treatment facility, as the term is defined by NY Correction Law, Section 2(6), for a period of time deemed appropriate by the NYS Board of Parole, but in no event shall such period exceed six months from the date of my entrance into said residential treatment facility.
- SC38** – I shall NOT be released until the NYS Board of Parole and NYS Department of Corrections and Community Supervision are informed of the Sex Offender Risk Level that has been or will be established by a court of competent jurisdiction pursuant to Correction Law 168 – N.
- SC39A** – I will have no contact, directly or indirectly, through third party, electronically, or by initiation or response, with _____. I will only have contact with any minor children in common with _____ with approval and supervision of a Family Court Order of the permission of the PAROLE OFFICER.
I will enter, complete, and comply with a Domestic Violence Offenders program, as directed by the PAROLE OFFICER.
I will enter, complete, and comply with a Parenting Course, as directed by the PAROLE OFFICER.
- SC39B** – I will NOT reside with any partner without prior written permission of the PAROLE OFFICER.
I will immediately provide the PAROLE OFFICER of the contact information for any and all relationships I become involved in. I will provide a copy of any active Order of Protection issued against me or for my protection to the PAROLE OFFICER within 48 hours of being served with the order.
I will comply with any and all "active" Orders of Protection.
- SC40A** – I will NOT own, use, possess, purchase or have control of any computer, computer related material, electronic storage devices, communication devices, and/or the internet, unless I obtain prior written permission from the PAROLE OFFICER. Furthermore, if approved: If I am permitted by the PAROLE OFFICER to possess a computer at my residence, permission will be granted for only one computer.
I will provide all personal, business, phone, internet service provider, and/or cable records, to the PAROLE OFFICER upon request.
- SC40B** – I will provide copies of financial documents to the PAROLE OFFICER upon request. These documents may include, but are not limited to, all credit cards bills, bank statements, and income tax returns.
I will provide all user id's and passwords required to access the computer, my C.M.O.S. and BIOS, internet service provider, any/all email accounts, instant messaging accounts, any removable electronic media, including, but not limited to, media such as smart cards, cell phones, thumb drives and web virtual storage.
- SC40C** – I will provide the PAROLE OFFICER with my password and user I.D. for any approved device. I acknowledge that individuals who have access to my computer system and/or other communication or electronic storage devices will also be subject to monitoring and/or search and seizure.
I agree to be fully responsible for all material, data, images and information found on my computer and/or other communication or electronic storage devices at all times.
- SC40D** – I will NOT create or assist directly, or indirectly, in the creation of any electronic bulletin board system, services that provide access to the internet, or any public or private computer network without prior written approval from the PAROLE OFFICER.
I will NOT use any form of encryption, cryptography, steganography, compression and/or other method that might limit access to, or change the appearance of, data and/or images without prior written approval from the PAROLE OFFICER.
- SC40E** – I will NOT attempt to circumvent, alter, inhibit, or prevent the functioning of any monitoring or limiting equipment, device or software that has been installed by or at the behest of, or is being utilized by, the Department of Corrections and Community Supervision for the purposes of recording, monitoring or limiting my computer or internet use and access, nor will I tamper with such equipment, device or software in any way.
- SC40F** – I will cooperate with unannounced examinations directed by the PAROLE OFFICER of any and all computer(s) and/or other electronic device(s) to which I have access. This includes access to all data and/or images stored on hard disk drives, floppy diskettes, cd roms, optical disks, magnetic tape, cell phones, and/or any other storage media whether installed within a device or removable.
I will install or allow to be installed, at my own expense, equipment and/or software to monitor or limit computer use.
- SC41A** – I shall install and maintain, in accordance with the provisions of Section 1198 of the NYS Vehicle and Traffic Law, an Ignition Interlock Device in any motor vehicle owned or operated by me during the period of my community supervision. This condition does not authorize me to operate a motor vehicle in the event my license or privilege to operate a motor vehicle has been revoked or suspended.
- SC41B** – Pursuant to the provisions of the Vehicle and Traffic Law or the Laws of any other State, I may obtain a license to operate a motor vehicle only with the prior written permission of the PAROLE OFFICER. If I possess a license to operate a motor vehicle, I may operate a motor vehicle with the prior written permission of the PAROLE OFFICER, and in accordance with this condition of release.
- SC42** – I will submit to photo imaging every 90 days or whenever directed by the PAROLE OFFICER or other representative of the NYS Department of Corrections and Community Supervision.

ORC RECOMMENDED SPECIAL CONDITIONS

INMATE NAME : [REDACTED]

- SC45** – I understand that I shall not download, access, or otherwise engage in any Internet enabled gaming activities to include Pokémon Go. I further understand that I shall not be in the company of any person who is engaged in any Internet enabled gaming activities nor will I have any gaming software on any Internet enabled device that I am permitted to access or otherwise possess.
- SC46** – I will not use the internet to access pornographic material, communicate with other individuals or groups for the purpose of promoting sexual relations with persons under the age of eighteen, and communicate with a person under the age of eighteen unless I receive written permission from the Board of Parole to use the internet to communicate with a minor child under eighteen years of age who I am the parent of and who I am not otherwise prohibited from communicating with.
- FC01 A, B, C, D** – Sex Offender Housing Condition (SOH220) - I will propose a residence to be investigated by the Department of Corrections and Community Supervision and will assist the Department in any efforts it may make on my behalf to develop a residence.

If I am deemed a Level 3 risk pursuant to Article 6-c of the Correction Law - or - I am serving one or more sentences for committing or attempting to commit one or more offense(s) under Articles 130, 135 or 263 of the Penal Law or sections 255.25, 255.26 or 255.27 of the Penal Law and the victim of such offense(s) was under 18 years of age at the time of the offense(s), and as such I must comply with section 259-c(14) of the Executive Law, I will not be released until a residence is developed and it is verified that such address is located outside the penal law definition of school grounds and is approved by the Department. In pertinent part, Executive Law §259-c(14) provides: *"the board shall require, as a mandatory condition of such release, that such sentenced offender shall refrain from knowingly entering into or upon any school grounds, as that term is defined in subdivision fourteen of section 220.00, or the penal law, or any other facility or institution primarily used for the care or treatment of persons under the age of eighteen while on or more of such persons under the age of eighteen are present,..."* Penal Law §220.(14).

"School grounds" means (a) in or on or within any building, structure, athletic playing field, playground or land contained within the real property boundary line of a public or private elementary, parochial, intermediate, junior high, vocational, or high school, or (b) any area accessible to the public located within one thousand feet of the real property boundary line comprising any such school or any parked automobile or other parked vehicle located within one thousand feet of the real property boundary line comprising any such school. For the purposes of this section an "area accessible to the public" shall mean sidewalks, streets, parking lots, parks, playgrounds, stores and restaurants.

- FC02 A, B** – Sex Offender Residential Treatment Facility program conditions (RTF220) - Pursuant to the authority conferred upon the New York State Board of Parole under section 70.45(3) of the penal law to impose conditions of release upon an individual serving a determinate sentence who is to be released to serve a period of post-release supervision, as a condition of your post-release supervision you shall be transferred to and participate in the programs of a residential treatment facility, as that term is defined by Correction Law section 2(6) until such time as a residence has been approved and such address has been verified to be located outside of the penal law definition of school grounds.