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Administrative Appeal Decision - Chavis, Shaeem (2019-02-06)

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ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Chavis, Shaeem

Facility: Woodbourne CF

NYSID: [REDACTED]

Appeal Control No.: 08-145-18 B

DIN: 95-A-3982

Appearances: Shaeem Chavis, 95-A-3982
Woodbourne CF
99 Prison Road
P.O. Box 1000
Woodbourne, NY 12788-1000

Decision appealed: July 2018 decision denying discretionary release and imposing a hold of 18-months.

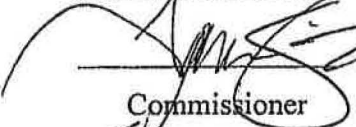
Board Member(s) who participated: **Crangle, Coppola**

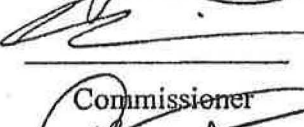
Papers considered: Appellant's Brief received November 15, 2018

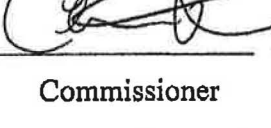
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

Records relied upon: Pre-Sentence Investigation Report, Parole Board Report, Interview Transcript, Parole Board Release Decision Notice (Form 9026), COMPAS instrument, Offender Case Plan.

Final Determination: The undersigned determine that the decision appealed is hereby:

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

 Affirmed Vacated, remanded for de novo interview Modified to _____
Commissioner

If the Final Determination is at variance with Findings and Recommendation of Appeals Unit, written reasons for the Parole Board's determination must be annexed hereto.

This Final Determination, the related Statement of the Appeals Unit's Findings and the separate findings of the Parole Board, if any, were mailed to the Inmate and the Inmate's Counsel, if any, on 2/5/2019.
LB

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Chavis, Shaeem

DIN: 95-A-3982

Facility: Woodbourne CF

AC No.: 08-145-18 B

Findings: (Page 1 of 1)

Appellant was sentenced to Murder in the second degree, Attempted Robbery in the first degree, CPW in the second degree and CPW in the third degree. Appellant challenges the July 2018 determination of the Board denying release and imposing a 18-month hold. Among other things, he argues the Board relied on erroneous information concerning the COMPAS instrument and the decision fails to provide adequate details.

A review of the record confirms the Board relied on erroneous information insofar as the decision states the COMPAS instrument's score for history of violence is high when in fact it is medium. In addition, the decision fails to provide adequate details to explain the reasons for the denial. As such, a *de novo* interview is appropriate.

Recommendation: Vacate and remand for de novo interview.