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

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STATE OF NEW YORK - BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name:	Chavis, Sha	acem	Facility:	Woodbourne CF	
NYSID:			Appeal Control No.:	08-145-18 B	
DIN:	95-A-3982				
Appearances:		Shaeem Chavis, 95-A-Woodbourne CF 99 Prison Road P.O. Box 1000 Woodbourne, NY 127			
Decision appealed;		July 2018 decision denying discretionary release and imposing a hold of 18-months.			
Board Member(s) who participated:		Crangle, Coppola	7		
Papers considered:		Appellant's Brief recei	ived November 1	15, 2018	
Appeals Un	it Review:	Statement of the Appea	als Unit's Findin	ngs and Recommendation	
I		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					
		Affirmed Vacat	ed, remanded for	de novo interview Modified to	
Commis	- D	Affirmed Vacat	ed, remanded for	de novo interview Modified to	
If the Final Determination is at variance with Findings and Recommendation of Appeals Unit, written reasons for the Parole Board's determination <u>must</u> 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 $\frac{2/5/2019}{LB}$.					

The Balton, Appeals Unit Appellant - Appellant's Counsel - Inst. Parole File - Central File (2004) (2004)

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.