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October 2021

### Administrative Appeal Decision - Anderson, Jane (2021-10-21)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Anderson, Jane

Facility: Taconic CF

NYSID: 14612177-R

Appeal Control No.: 05-046-21 B

DIN: 20-G-0025

Appearances: Kathy Manley Esq.  
26 Dinmore Road  
Selkirk, New York 12158

Decision appealed: April 2021 decision, denying discretionary release and imposing a hold of 24 months.

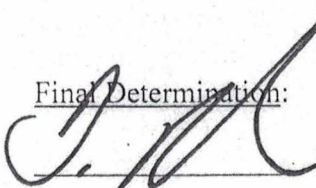
Board Member(s) who participated: Lee, Demosthenes

Papers considered: Appellant's Brief received July 16, 2021

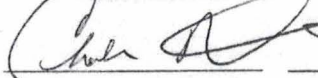
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

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 Appellant and the Appellant's Counsel, if any, on

10/21/2021  
LB

STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Anderson, Jane

**DIN:** 20-G-0025

**Facility:** Taconic CF

**AC No.:** 05-046-21 B

**Findings:** (Page 1 of 1)

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Appellant challenges the April 2021 determination of the Board, denying release and imposing a 24-month hold. Appellant's instant offense involved her embezzling over \$1.7 million dollars from her employer. Appellant raises many issues. One of the issues raised is a claim that the Board didn't properly depart from the COMPAS in that no individualized scales are mentioned in the Board decision.

The Board decision indicates there is a reasonable probability appellant would not remain at liberty without violating the law, but fails to say they are departing from the COMPAS. As such, the regulation was not complied with. A de novo interview is warranted.

**Recommendation:** Vacate and remand for de novo interview.