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February 2022

### Administrative Appeal Decision - Monk, Sybil (2021-05-06)

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STATE OF NEW YORK – BOARD OF PAROLE

**ADMINISTRATIVE APPEAL DECISION NOTICE**

Name: Monk, Sybil

Facility: Taconic CF

NYSID: [REDACTED]

Appeal Control No.: 10-086-20 B

DIN: 11-G-0268

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

Decision appealed: September 2020 decision, denying discretionary release and imposing a hold of 18 months.

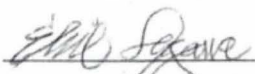

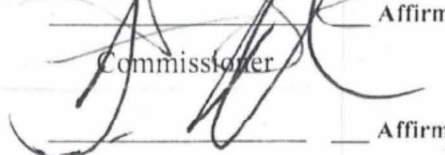
Board Member(s) who participated: Cruse, Corley

Papers considered: Appellant's Brief received February 9, 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:

 Commissioner	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Vacated, remanded for de novo interview	<input type="checkbox"/> Modified to _____
 Commissioner	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Vacated, remanded for de novo interview	<input type="checkbox"/> Modified to _____
 Commissioner	<input checked="" type="checkbox"/> Affirmed	<input type="checkbox"/> Vacated, remanded for de novo interview	<input type="checkbox"/> Modified to _____

**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 5/6/2021.  
LB

STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Monk, Sybil

**DIN:** 11-G-0268

**Facility:** Taconic CF

**AC No.:** 10-086-20 B

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

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Appellant challenges the September 2020 determination of the Board, denying release and imposing a 18-month hold. Appellant's instant offense is for driving a car, with her minor children in the back seat, while under the influence of numerous prescription medications. She ignored the warnings of her children, continued to drive erratically, and then crossed over the yellow line and crashed into two motorcycles, killing one person and seriously injuring another. Appellant raises many issues. One of the issues raised concerned her receipt of an EEC.

The Board decision is silent about the receipt of an EEC. The Board decision also erroneously uses the deprecation standard, which doesn't apply in EEC cases. As such, a de novo interview is warranted.

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