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May 2022

### Administrative Appeal Decision - Holland, Leonard (2020-05-23)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Holland, Leonard

Facility: Green Haven CF

NYSID: [REDACTED]

Appeal Control No.: 02-073-19 B

DIN: 91-A-7095

Appearances: Leonard Holland 91A7095  
Green Haven Correctional Facility  
594 State Route 216  
P.O. Box 4000  
Stormville, New York 12582

Decision appealed: January 2019 decision, denying discretionary release and imposing a hold of 15 months.


Board Member(s) who participated: Davis, Cruse

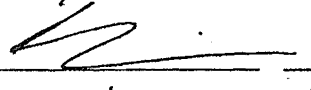
Papers considered: Appellant's Brief received February 19, 2019

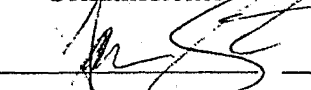
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

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 5/23/19 <sub>LB</sub>.

Distribution: Appeals Unit – Appellant - Appellant's Counsel - Inst. Parole File - Central File  
P-2002(B) (11/2018)

STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Holland, Leonard

**DIN:** 91-A-7095

**Facility:** Green Haven CF

**AC No.:** 02-073-19 B

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

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Appellant challenges the January 2019 determination of the Board, denying release and imposing a 15-month hold. Appellant's instant offense is murder and robbery, committed when he was only 16 years old. The maximum date on his sentence is life. Appellant's appeal raises only one issue. The Board decision doesn't mention anything about youth and its attendant circumstances.

Appellant is correct that his Board decision does not mention anything about his youth and its attendant circumstances pertaining to the instant offense. This is a required factor per 9 N.Y.C.R.R. 8002.2(c). Since a required factor is not mentioned in the decision, a de novo Parole Board Release Interview is required.

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