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Administrative Appeal Decision - Venezia, Robert N (2021-12-23)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Venezia, Robert

DIN: 00-A-0359

Facility: Fishkill CF

AC No.: 07-042-21 B

Findings: (Page 1 of 1)

Appellant challenges the June 2021 determination of the Board, denying release and imposing a 12-month hold. Appellant's instant offense is for repeatedly stabbing his step-mother, causing her death. Appellant raises many issues. One of the issues raised is a claim that the decision lacks details.

The Board decision lists various positive and negative facts, but failed to clearly state what the rationale for denial was. Since the Board decision failed to articulate the details in a proper manner, a de novo interview is warranted.

Recommendation: Vacate and remand for de novo interview.

STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Venezia, Robert

Facility: Fishkill CF

NYSID: [REDACTED]

Appeal Control No.: 07-042-21 B

DIN: 00-A-0359

Appearances: Cheryl Kates Esq.
P.O. Box 734
Fairport, New York 14450

Decision appealed: June 2021 decision, denying discretionary release and imposing a hold of 12 months.

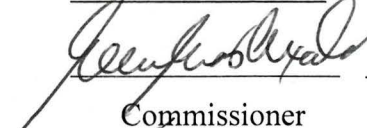
Board Member(s) who participated: Segarra, Mitchell


Papers considered: Appellant's Letter-brief received October 12, 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

12/23/2021
LB