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Administrative Appeal Decision - Young, Scott (2022-02-02)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Young, Scott

DIN: 01-A-3730

Facility: Fishkill CF

AC No.: 07-064-21 B

Findings: (Page 1 of 1)

Appellant challenges the June 2021 determination of the Board, denying release and imposing a 24-month hold. Appellant's instant offense is for breaking into the house of his ex-wife and shooting her new boyfriend to death. Appellant then fled and was not caught for several years. However, a search of his residence found firearms and explosives. Appellant raises many issues. One of the issues raised is the COMPAS departure was not properly done.

A review by the Appeals Unit shows the Board decision did in fact depart from the COMPAS, but gave no clear reason for the departure. As such, 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: Young, Scott

Facility: Fishkill CF

NYSID: [REDACTED]

Appeal Control No.: 07-064-21 B

DIN: 01-A-3730

Appearances: Isaac Zaur Esq.
Clarick, Gueron Reisbaum
220 Fifth Avenue
New York, New York 10001

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


Board Member(s) who participated: Segarra, Mitchell


Papers considered: Appellant’s Brief received November 2, 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

2/2/2022
LB