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Administrative Appeal Decision - Patterson, Chris (2021-12-23)

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STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Patterson, Chris

DIN: 89-T-0944

Facility: Otisville CF

AC No.: 09-013-21 B

Findings: (Page 1 of 1)

Appellant challenges the August 2021 determination of the Board, denying release and imposing a 24-month hold. Appellant's instant offense is for choking a woman and then carving her up all over her body with a knife, causing her death. Appellant raises many issues. One of the issues raised is a claim that the Board failed to properly depart from the COMPAS.

The Board decision did depart from the COMPAS, but failed to list any individualized scales it was departing from. Thus, due to an improper COMPAS departure, 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: Patterson, Chris

Facility: Otisville CF

NYSID: [REDACTED]

**Appeal
Control No.:** 09-013-21 B

DIN: 89-T-0944

Appearances: Chris Patterson 89T0944
Otisville Correctional Facility
57 Sanitorium Avenue
P.O. Box
Otisville, New York 10963

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

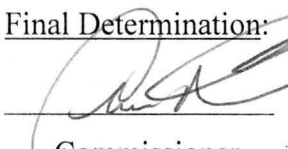
Board Member(s)
who participated: Corley, Berliner, Lee

Papers considered: Appellant's Letter-brief received October 8, 2021

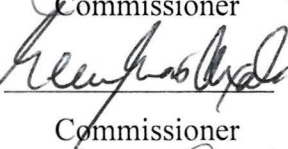
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

Records relied upon: Pre-Sentence Investigation Report, Parole Board Report, Interview Transcript, Parole Board Release Decision Notice (Form 9026), COMPAS instrument, Offender Case Plan.

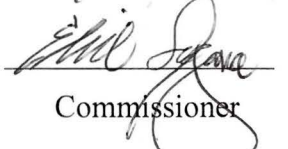
Final Determination: The undersigned determine that the decision appealed is hereby:

 ☐ 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

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