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Parole Administrative Appeal Decisions

Parole Administrative Appeal Documents

Administrative Appeal Decision - Young, Scott (2022-11-14)

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STATE OF NEW YORK – BOARD OF PAROLE

ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Young, Scott

Facility: Fishkill CF

NYSID: [REDACTED]

Appeal Control No.: 04-020-22 SC

DIN: 01-A-3730

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

Decision appealed: March 2022 decision, denying discretionary release and imposing a hold of 24 months.

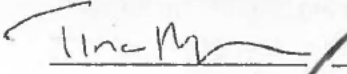
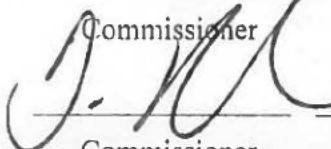
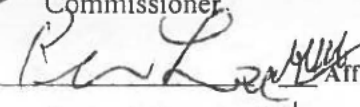
Board Member(s) who participated: Cruse, Corley, Samuels

Papers considered: Appellant's Brief received August 23, 2022

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

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

11/14/2022
LB

STATE OF NEW YORK – BOARD OF PAROLE

APPEALS UNIT FINDINGS & RECOMMENDATION

Name: Young, Scott

DIN: 01-A-3730

Facility: Fishkill CF

AC No.: 04-020-22 SC

Findings: (Page 1 of 1)

Appellant challenges the March 2022 determination of the Board, denying release and imposing a 24-month hold. Appellant's instant offense is for breaking into the residence of his ex-wife and shooting her new boyfriend to death. Appellant then chased his ex-wife, who was forced to jump out of a high story window and suffered serious injuries when landing on the ground. Appellant raises many issues. One of the issues raised is the decision lacks details, and another issue raised is the decision failed to mention any aggravating facts.

While the decision does contain much information, it failed to properly articulate and sufficiently tie the reasons for denial together. As such, in this particular matter, a de novo interview is required.

Recommendation: Vacate and remand for de novo interview.