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June 2023

### Administrative Appeal Decision - Ramos, Betsy (2019-09-23)

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ADMINISTRATIVE APPEAL DECISION NOTICE

Name: Ramos, Betsy

Facility: Bedford Hills CF

NYSID: [REDACTED]

Appeal Control No.: 01-127-19 B

DIN: 99-G-0513

Appearances: Amanda Bashi Esq.  
Cornell Law School  
129 Hughes Hall  
Ithaca, New York 14853

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

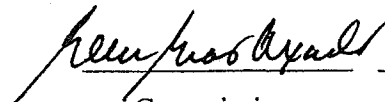
Board Member(s) who participated: Shapiro, Cruse, Demosthenes

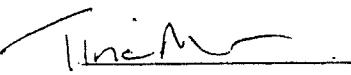
Papers considered: Appellant's Brief received May 14, 2019

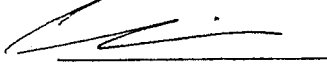
Appeals Unit Review: Statement of the Appeals Unit's Findings and Recommendation

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 9/23/19.  
LB

STATE OF NEW YORK – BOARD OF PAROLE

**APPEALS UNIT FINDINGS & RECOMMENDATION**

**Name:** Ramos, Betsy

**DIN:** 99-G-0513

**Facility:** Bedford Hills CF

**AC No.:** 01-127-19 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 involved her interfering with the police when they tried to arrest her paramour by physically attacking the police officers, and during the course of the struggle, with appellant's assistance the paramour shot and murdered a police officer. Appellant raises the following issues: 1) the interviewing Commissioners didn't understand the legal ramifications of domestic violence, and asked inappropriate questions, and failed to ask necessary questions on the topic. 2) the decision was arbitrary and capricious, and irrational bordering on impropriety, in that the Board failed to consider and/or properly weigh the required statutory factors. 3) the decision was predetermined. 4) the decision illegally resentenced her. 5) the decision lacks detail. 6) the Board failed to list any facts in support of the cited statutory standard. 7) prior interviews did not find a lack of remorse. 8) the Board failed to comply with the 2011 amendments to the Executive Law in that the COMPAS was ignored, the departure under the 2017 regulations was invalid, and the laws are now forward/future based.

A review of the transcript by the Appeals Unit reveals several questions may have gone beyond the scope of the jurisdiction of the Parole Board. And, appellant's claim that she is a domestic violence victim may not have received sufficient consideration by the interviewing panel. Therefore, a de novo interview is warranted.

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