



STATE OF NEW JERSEY

In the Matter of John Decker,
Police Captain (PM1295T), Jackson

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2016-1839

Examination Appeal

ISSUED: **NOV 10 2016** (JH)

John Decker appeals the written portion of the examination for Police Captain (PM1295T), Jackson.

The subject exam consists of two parts: a multiple-choice portion and an oral portion. The written portion was administered on October 22, 2015 and consisted of 70 multiple choice questions.

Mr. Decker maintains that he was only provided with 30 minutes for review and his ability to take notes on exam items was severely curtailed.

Regarding review, it is noted that the time allotted for candidates to review is a percentage of the time allotted to take the examination. The review procedure is not designed to allow candidates to retake the examination, but rather to allow candidates to recognize flawed questions. First, it is presumed that most of the questions are not flawed and would not require more than a cursory reading. Second, the review procedure is not designed to facilitate perfection of a candidate's test score, but rather to facilitate perfection of the scoring key. To that end, knowledge of what choice a particular appellant made is not required to properly evaluate the correctness of the official scoring key. Appeals of questions for which the appellant selected the correct answer are not improvident if the question or keyed answer is flawed.

An independent review of the issues presented under appeal has resulted in the following findings:

Question 8 indicates that your chief assigns you to handle the Internal Affairs function in your department. In addition to investigating allegations of misconduct by members of the department, under the Attorney General's Internal Affairs Policy and Procedures, you also have the responsibility to receive notification of, and document, certain events/activities when they occur. Candidates were presented with four statements and required to determine, according to the Attorney General's guidelines, of which Internal Affairs shall be notified and documented. The keyed response, option c, did not include statement I, "Use of Force incidents, regardless of whether anyone is injured." Mr. Decker asserts that "after further review of the Attorney General Guidelines for Internal Affairs, both hard copy and electronic, I was unable to locate any direct information relative to the basis of this question but believe that this is a topic of importance and is within the guideline to be included as part of the correct response to the base of the initial question, to which point I believe answer choice 'd' to be correct."

According to the Attorney General's Internal Affairs Policy and Procedures (revised July 2014) (Internal Affairs Policy), under the section entitled, "Duties and Responsibilities":

The internal affairs unit or officer will investigate alleged misconduct by members of the department and review the adjudication of minor complaints handled by supervisors. In addition, internal affairs shall be notified of and document all firearms discharges by department personnel that are not related to training, *all use of force incidents that result in injury to a defendant or a third party*, all vehicular pursuits undertaken by department personnel and all collisions involving department vehicles. Once notification has been received, internal affairs will determine whether additional investigation is necessary. (emphasis added)

Thus, the question is correct as keyed.

Question 42 refers to Kären M. Hess, Christine Hess Orthmann and Shaun LaDue, *Management and Supervision in Law Enforcement* (7th ed. 2016). The question indicates that you are working with several subordinates on a team project. You strive to ensure that the team is high-performing and effective in meeting its goals. Candidates were presented with four statements and required to determine which illustrate the attributes of high-performing teams. The keyed response, option d, includes statement IV, "Change is seen as something positive, as an opportunity for growth." Mr. Decker argues that while the text states, "change is inevitable. No person or organization can stop it. Managers must accept that the only constant is change," the text does not state, "change is inevitabl[e] and should be viewed as an opportunity" in the section which discusses the team approach. He

contends that while the text discusses “the concept of synergy and diversification amongst the group[,] at no point does it discuss change as an opportunity.”

The text provides, “Attributes of high-performing teams are . . . Future focused – seeing change as an opportunity for growth.” Thus, the question is correct as keyed.

For question 54, since Mr. Decker selected the correct response, his appeal of this item is moot.

Question 62 refers to Table 1 Stolen Property from the Evergreen Township Police Department 2014 Annual Report provided to candidates in the test booklet. The question asks for the statement that can be correctly concluded from the information presented in Table 1. The keyed response is option b, “Half the value of stolen motor vehicles were recovered in 2014.” Mr. Decker maintains that option a, “More jewelry was stolen than office equipment in 2014,” and option c, “Only 13% of the total stolen property items were recovered in 2014,”¹ are also correct.

Table 1 is as follows:

Table 1. Stolen Property

Property Type	Value Stolen	Value Recovered	Value Recovered as a Percentage of Value Stolen
Clothing	\$960,000	\$96,000	10%
Consumable Goods	\$300,000	\$75,000	25%
Currency	\$2,200,000	\$22,000	1%
Electronics	\$440,000	\$22,000	5%
Firearms	\$550,000	\$110,000	20%
Household Goods	\$1,500,000	\$450,000	30%
Jewelry	\$6,900,000	\$345,000	5%
Miscellaneous	\$1,300,000	\$130,000	10%
Motor Vehicles	\$2,500,000	\$1,250,000	50%
Office Equipment	\$3,400,000	\$170,000	5%
TOTAL	\$20,050,000	\$2,670,000	13%

Table 1: Shows the value of property that was stolen (by type) in Evergreen Township in 2014, and the value recovered by the Evergreen Township Police Department in 2014. The last column shows the value recovered as a percentage of the value stolen.

With respect to option a, while the table indicates that the value of the jewelry stolen is greater than that of office equipment, it does not indicate the actual amount of jewelry or office equipment that was stolen. Regarding option c, while the table indicates that 13% of the total value of stolen property was recovered, it

¹ Mr. Decker misremembered option c as “The total value of all recovered property for the calendar year was 13%.”

does not indicate the number of stolen property items. As such, neither option a nor option c is correct.

CONCLUSION

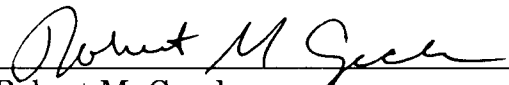
A thorough review of appellant's submissions and the test materials reveals that the appellant's examination score is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 10TH DAY OF NOVEMBER, 2016


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