



In the Matter of E.C., Parole Officer
Recruit (S0566R), State Parole Board

STATE OF NEW JERSEY
FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2017-1412

Medical Review Panel

ISSUED: April 11, 2018 (BS)

E.C., represented by Gerald Miller, Esq., appeals his rejection as a Parole Officer Recruit candidate by the State Parole Board and its request to remove his name from the eligible list for Parole Officer Recruit (S0566R) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel on November 17, 2017, which rendered the attached report and recommendation on November 17, 2017. Exceptions were filed on behalf of the appellant.

The report by the Medical Review Panel discusses all submitted evaluations. It notes that Dr. Han Zhang Liang (evaluator on behalf of the appointing authority), conducted a psychological evaluation of the appellant and characterized the appellant as overly friendly and only superficially cooperative during the interview. The appellant was often circumstantial with his responses. Dr. Zhang found significant problems including poor judgment, poor social competence, and poor integrity, all of which were evidenced in the appellant's pervasive patterns of litigation problems and issues in his personal life. Futhermore, the appellant had been terminated from employment for misrepresenting his educational credentials. Dr. Zhang Liang opined that, when these issues are considered together, they paint a picture of an individual who makes poor decisions, often with serious consequences. Additionally, Dr. Zhang Liang indicated that the appellant failed to follow instructions when completing his biographical summary form, leaving out reasons why he left past jobs or positions he has held for his entire job history. The appellant also provided an inconsistent account of motor vehicle summonses and

failed to disclose a previous pre-employment psychological examination for Union County Detention Center. Dr. Zhang Liang failed to recommend the appellant for appointment to the subject position.

Dr. Charles J. Most, evaluator on behalf of the appellant, carried out a psychological evaluation and indicated that the appellant passed all of the psychological testing. According to Dr. Most, the appellant's history was consistently identified with no criminal or civil actions. Dr. Most opined that Dr. Zhang Liang ignored the psychological testing results and, instead, concentrated on the appellant's biography which listed incidents which were previously reviewed and accepted by the Parole Board prior to his being extended the conditional offer of employment. Dr. Most noted that the appellant's current employer described him as respectful, easy going, does his work, shows leadership skills, is thoughtful and not impulsive, shows good judgment, supervises others, is able to speak his mind in an articulate manner, and was being considered for a promotion. Dr. Most could find no reason why the appellant was not psychologically fit to serve as a Parole Officer Recruit.

The evaluators on behalf of the appellant and the appointing authority arrived at differing conclusions and recommendations. The Panel concluded that the negative recommendation found support in the appellant's history of poor judgment, poor social competence, and poor integrity. The Panel noted that the appellant was employed with the State of New Jersey's Office of the Public Defender, currently serving as a Senior Investigator. The appellant has denied any formal and/or verbal reprimands or complaints from the public while serving in this capacity. The appellant was previously terminated from a position because he lacked the required degree at the time. Also, he had suits filed against him a number of times by business associates for "services not rendered." Law enforcement had been called by the appellant's wife on several occasions over disputes with the appellant, although no restraining orders were issued. The appellant's presentation before the Panel was consistent with Dr. Zhang Liang's assessment. The report by the Medical Review Panel discusses all submitted evaluations. The Panel concluded that the test results and procedures and the behavioral record, when viewed in light of the Job Specification for Parole Officer Recruit the action of the hiring authority should be upheld. Accordingly, the Panel recommended that the appellant be removed from the eligible list.

In his exceptions, the appellant argues that the Panel failed to give adequate weight to the assessment of Dr. Most, who found that the appellant had a history of competent psychological functioning "that is stable and displays good insight, judgment, concentration, and impulse control." Dr. Most also concluded that the appellant adequately functions in his current employment with the Office of the Public Defender and would also be successful as a Parole Officer Recruit. The appellant further asserts that the Panel placed too much weight on civil litigation

and not enough on his academic achievements since his coming to America. The appellant argues that his name should be restored to the list.

CONCLUSION

The Class Specification for the title of Parole Officer Recruits the official job description for such positions within the civil service system. According to the specification, officers are responsible for the care, use and security of firearms and equipment; detection, apprehension, arrest and conviction of law offenders; participation in investigations of existing and potential employment opportunities for persons on parole; assisting in investigations and in developing parole plans for prospective parolees; learning to recognize and rapidly evaluate potentially dangerous situations involving parolees/parole violators; exercise of caution and independent judgment to avoid personal injury or to prevent endangerment of the general public or serious property damage; liaison with law enforcement agencies, courts, employers, clergymen, school officers, welfare agencies, and civic and business organizations, and with relatives of parolees and others for the purpose of rehabilitating persons on parole; and coordination of parolees' collection efforts of court-imposed revenue obligations with other government or private agencies in the event of default.

The Civil Service Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and found that the psychological traits which were identified and supported by test procedures and the behavioral record relate adversely to the appellant's ability to effectively perform the duties of the title. The Commission finds that the appellant's exceptions do not persuasively dispute the findings and recommendations of the Panel. The Commission notes that the Panel conducts an independent review of all of the raw data presented by the parties as well as the raw data and recommendations and conclusions drawn by the various evaluators prior to rendering its own conclusions and recommendations which are based firmly on the totality of the record presented to it. The Panel's observations regarding the appellant's appearance before the Panel are based on its expertise in the fields of psychology and psychiatry, as well as its experience in evaluating hundreds of appellants. There are substantial linkages in the Panel's report and recommendation with Dr. Zhang Liang's findings regarding the appellant's history of poor judgment, poor social competence, and poor integrity. While perhaps lacking any specific mental pathology, the appellant's history remains an area of concern. Having considered the record and the Medical Review Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached Medical Review Panel's report and recommendation.

ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that E.C. is psychologically unfit to perform effectively the duties of a Parole Officer Recruit and, therefore, the Commission orders that his name be removed from the subject eligible list.

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 4TH DAY OF APRIL, 2018



Deirdre L. Webster Cobb, Acting Chairperson
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Attachments

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