



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of K.R., Correctional  
Police Officer (S9988V), Department  
of Corrections

CSC Docket No. 2018-3079

Medical Review Panel

**ISSUED:** JUNE 14, 2019 (DASV)

K.R. appeals her rejection as a Correctional Police Officer<sup>1</sup> candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9988V) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was referred for independent evaluation by the Civil Service Commission (Commission) in a decision rendered on February 20, 2019, which is attached. The appellant was evaluated by Dr. Robert Kanen, who rendered a Psychological Evaluation and Report on March 18, 2019. No exceptions were filed by the parties. It is noted that the Commission directed that a proper protocol for an in-depth intellectual and cognitive assessment of the appellant be included in the independent psychological evaluation.

The Psychological Evaluation and Report by Dr. Kanen discusses the evaluation procedure and reviews the previous psychological findings relative to the appellant. In addition to reviewing the reports, letters, recommendations and test data submitted by the previous evaluators, Dr. Kanen administered the following: Clinical Interview/Mental Status Examination; Wechsler Adult Intelligence Scale, 4<sup>th</sup> Edition; and Wide Range Achievement Test – Revision 3. Dr. Kanen reported that the appellant is functioning in the borderline range of cognitive ability with an estimated full-scale IQ of 77, placing her above 6% and below 94% of her age group.

<sup>1</sup> Pursuant to *N.J.S.A.* 11A:2-11.1, effective May 1, 2018, the title of Correction Officer Recruit has been retitled to Correctional Police Officer.

In addition, the appellant's perceptual reasoning index score placed her in the low average to average range and her working memory index score placed her in an intellectually deficient range. Moreover, Dr. Kanen found that the appellant's vocabulary is weak, and she did not know certain time calculations. Based on these test results, Dr. Kanen determined that the appellant is functioning considerably below that of the average law enforcement officer in cognitive and academic ability. Dr. Kanen opined that the appellant may be at risk for poor verbal reasoning and judgment in a correctional environment. Additionally, he noted that the appellant is likely to have difficulty in learning the skills required to perform the duties of the position and in paying attention to potential security risks due to her memory deficit. Accordingly, Dr. Kanen concluded that the appellant is not psychologically suitable to perform the duties of the position sought.

### CONCLUSION

The Job Specification for Correctional Police Officer is the official job description for such State positions within the Civil Service system. According to the specification, a Correctional Police Officer exercises full police powers and acts as a peace officer at all times for the detection, apprehension, arrest, and conviction of offenders against the law. Additionally, a Correctional Police Officer is involved in providing appropriate care and custody of a designated group of inmates. These officers must strictly follow rules, regulations, policies and other operational procedures of that institution. Examples of work include: encouraging inmates toward complete social rehabilitation; patrolling assigned areas and reporting unusual incidents immediately; preventing disturbances and escapes; maintaining discipline in areas where there are groups of inmates; ensuring that institution equipment is maintained and kept clean; inspecting all places of possible egress by inmates; finding weapons on inmates or grounds; noting suspicious persons and conditions and taking appropriate actions; and performing investigations and preparing detailed and cohesive reports.

The specification notes the following as required skills and abilities needed to perform the job: the ability to understand, remember and carry out oral and written directions and to learn quickly from written and verbal explanations; the ability to analyze custodial problems, organize work and develop effective work methods; the ability to recognize significant conditions and take proper actions in accordance with prescribed rules; the ability to perform repetitive work without loss of equanimity, patience or courtesy; the ability to remain calm and decisive in emergency situations and to retain emotional stability; the ability to give clear, accurate and explicit directions; and the ability to prepare clear, accurate and informative reports of significant conditions and actions taken.

The Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and finds 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. Specifically, as concluded by Dr. Kanen, the appellant lacks the cognitive and academic ability to effectively perform the duties of a Correctional Police Officer. The appellant has not challenged Dr. Kanen's evaluation to disturb his conclusion in this matter. In that regard, the Commission emphasizes that, in addition to his own evaluation and testing, Dr. Kanen conducts an independent review of the Panel's Report and Recommendation and the raw data, recommendations and conclusions drawn by the various evaluators prior to rendering his own conclusions and recommendations, which are based firmly on his expertise in the field of psychology and his experience in evaluating the psychological suitability of hundreds of applicants for employment in law enforcement and public safety positions.

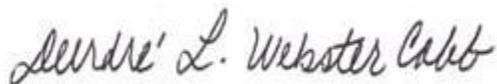
Therefore, having considered the record and the report and recommendation of the independent evaluator and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Psychological Evaluation and Report of the independent evaluator. Accordingly, the appellant's appeal is denied.

### **ORDER**

The Civil Service Commission finds that the appointing authority has met its burden of proof that K.R. is psychologically unfit to perform effectively the duties of a Correctional Police Officer and, therefore, the Commission orders that her 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 12<sup>TH</sup> DAY OF JUNE, 2019



Deirdre L. Webster Cobb  
Chairperson  
Civil Service Commission

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Attachment

c: K.R.  
Veronica Tingle  
Kelly Glenn



and reading comprehension did not appear to be consistent with an IQ score of 115. Therefore, based on the evaluations, the test results of the appellant, and her presentation at the meeting, the Panel requested that the appellant undergo an independent evaluation to address the concerns raised regarding her intellectual and cognitive abilities. Specifically, the Panel stated that the independent evaluator should review the assessment materials from the prior evaluations and construct a protocol that will assess the appellant's intellectual and cognitive abilities to perform the duties of a Correctional Police Officer.

### **CONCLUSION**

The Civil Service Commission (Commission) has reviewed the report and recommendation of the Panel. The Commission notes that the Panel conducts an independent review of the raw data presented by the parties as well as the recommendations and conclusions drawn by the various evaluators and that, in addition to the Panel's own review of the results of the tests administered to the appellant, it also assesses the appellant's presentation before it prior to rendering its own conclusions and recommendations which are based firmly on the totality of the record presented. The Commission agrees with the Panel's recommendation and finds it necessary to refer the appellant for an independent evaluation by a New Jersey licensed psychologist which shall include the proper protocol for an in-depth intellectual and cognitive assessment of the appellant.

### **ORDER**

The Commission therefore orders that K.R. be administered an independent psychological evaluation as set forth in this decision. The Commission further orders that the cost incurred for this evaluation be assessed to the appointing authority in the amount of \$530. Prior to the Commission's reconsideration of this matter, copies of the independent evaluator's report and recommendation will be sent to all parties with the opportunity to file exceptions and cross exceptions.

K.R. is to contact Dr. Robert Kanen, the Commission's independent evaluator, in order to arrange for an appointment within 15 days of the issuance of this determination in order to arrange for an appointment. Dr. Kanen's address is as follows:

Dr. Robert Kanen  
Kanen Psychological Services  
76 West Ridgewood Avenue  
Ridgewood, New Jersey 07450  
(201) 670-8072

If K.R. does not contact Dr. Kanen within the time period noted above, the entire matter will be referred to the Commission for final administrative determination and the appellant's lack of pursuit will be noted.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 20<sup>TH</sup> DAY OF FEBRUARY, 2019



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

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