



**STATE OF NEW JERSEY**

In the Matter of Teri Scott-Reid,  
Correctional Police Officer (S9988A),  
Department of Corrections

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

CSC Docket No. 2020-1309

List Removal Appeal

**ISSUED: JANUARY 17, 2020 (SLK)**

Teri Scott-Reid appeals her removal from the eligible list for Correctional Police Officer (S9988A), Department of Corrections, on the basis of falsification of her employment application.

By way of background, the appointing authority's background report indicates that the appellant falsified her application. Specifically, the appellant failed to disclose on her application that she was detained and questioned by the Toms River Police Department on July 29, 2012 at a crime scene where a person was shot multiple times. The appointing authority indicated that the appellant falsified the Affidavit of Understanding by checking that she had never been detained or taken into custody by any law enforcement agency.

On appeal, the appellant presents that she stated on her application that she was questioned by detectives, brought in for questioning and then cleared of the event. She asserts that the interviewer indicated that she needed to e-mail him all the details related to the shooting and she never received a response from the interviewer after e-mailing him. She submits two e-mails that she sent to the interviewer. One e-mail describes the Toms River incident. The other describes an incident where she was working as a security guard at a bar/lounge where there was a shooting.

In response, the appointing authority states that the appellant did not mention on her employment application the Toms River incident where a person was shot

multiple times. Although the appellant claims that she was never arrested or detained, it submits a Toms River Police Report, which shows that the police questioned her and searched and found her weapon in response to the incident. The appointing authority presents question #52 on the employment application which states, "Have you ever had any police contact, been taken into custody, or charged with juvenile delinquency?" It submits that the appellant only disclosed information concerning this incident when questioned about it during her home interview. The appointing authority argues that the appellant's failure to disclose this incident on her application violated its criteria for removal.

In reply, the appellant asserts that she does not have a criminal history or background. She states that she has never been arrested, detained or had any run-ins with local, state or federal authorities. The appellant presents that the Toms River incident occurred at her father and stepmother's house. She indicates that her sister was having a party and, unfortunately, there was a shooting that occurred on the premises. The appellant emphasizes that she was not involved in the shooting nor was she aware that it occurred while she was on the premises. She explains that she arrived at the residence shortly after getting off work and informed the police that she was in possession of her handgun at that time because she did not want to make any additional stops as she was rushing to get to her sister's party in a punctual manner. The appellant indicates that she was upstairs with her daughter at the time of the shooting. She explained to the police that she did not know that there was a shooting as she thought she heard firecrackers going off outside. The appellant further advised the police that, other than family, she did not know anyone at the party. Additionally, she explained to the police why she was in possession of a gun, that the gun was in the attic, and that her father and stepmother were fine with her gun being in the attic. The appellant asserts that she has a spotless employment record and presents that she is the mother of two children and a Newark resident who is known for being active in the community.<sup>1</sup>

## CONCLUSION

*N.J.A.C.* 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)6, allows the Civil Service Commission (Commission) to remove an eligible's name from an employment list when he or she has made a false statement of any material fact or attempted any deception or fraud in any part of the selection or appointment process.

*N.J.A.C.* 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his or her name from an eligible list was in error.

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<sup>1</sup> Parties are advised to copy the other party regarding any materials submitted to this agency. However, the appellant's reply does not indicate that the appointing authority was copied.

The Appellate Division of the New Jersey Superior Court, in *In the Matter of Nicholas D'Alessio*, Docket No. A-3901-01T3 (App. Div. September 2, 2003), affirmed the removal of a candidate's name based on his falsification of his employment application and noted that the primary inquiry in such a case is whether the candidate withheld information that was material to the position sought, not whether there was any intent to deceive on the part of the applicant.

Initially, although the appointing authority argues that the appellant violated its criteria for removal, the Commission notes that it was not bound by criteria utilized by the appointing authority and must decide each list removal on the basis of the record presented. *See In the Matter of Debra Dygon* (MSB, decided May 23, 2000).

In the instant matter, the appointing authority had a valid reason to remove the appellant's name from the list. A review of the appellant's employment application indicates that in response to question #52 on her application, which asked if she ever had any police contact, the appellant answered "No." Further, in response to question #56 on the employment application which asked, "Have you ever been held as a suspicious person or investigated by any law enforcement agency or private security agency for any reason other than employment for a police department?" the appellant answered "yes," but only indicated the shooting where she worked as a security guard and not the Toms River incident. Moreover, a review of the employment application does not indicate that the appellant mentioned the Toms River incident anywhere else on her application. Clearly, being questioned about an incident where someone was shot and then having the police search for one's weapon in response to that incident is police contact. Additionally, even if there was no intent to deceive, in light of the seriousness of the Toms River incident, as well as the fact that the appellant was also questioned about a separate shooting related to her employment as a security guard, her failure to disclose the Toms River incident on her employment application was material. At minimum, the appointing authority needed this information to have a complete understanding of her background in order to properly evaluate her candidacy. The fact that she subsequently disclosed this incident when questioned during her interview and she was not charged for this incident does not relieve her of her responsibility to disclose this incident prior to the appointing authority discovering it on its own while conducting a background check. In this regard, it is recognized that a Correctional Police Officer is a law enforcement employee who must help keep order in the prisons and promote adherence to the law. Correctional Police Officers, like Police Officers, hold highly visible and sensitive positions within the community and the standard for an applicant includes good character and an image of utmost confidence and trust. *See Moorestown v. Armstrong*, 89 N.J. Super. 560 (App. Div. 1965), *cert. denied*, 47 N.J. 80 (1966). *See also In re Phillips*, 117 N.J. 567 (1990). The public expects Correctional Police Officers to present a personal background that exhibits respect for the law and rules.

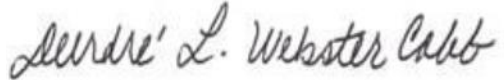
Accordingly, the appellant has not met her burden of proof in this matter and the appointing authority has shown sufficient cause for removing her name from the Correctional Police Officer (S9988A), Department of Corrections eligible list.

**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 15<sup>th</sup> DAY OF JANUARY, 2020



Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher S. Myers  
Director  
Division of Appeals  
& Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P.O. Box 312  
Trenton, New Jersey 08625-0312

c: Teri Scott-Reid  
Lisa Gaffney  
Kelly Glenn