



STATE OF NEW JERSEY

In the Matter of Sanadiqiyah Roberts	:	FINAL ADMINISTRATIVE ACTION
Correctional Police Officer (S9988A),	:	OF THE
Department of Corrections	:	CIVIL SERVICE COMMISSION
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	:	
	:	
	:	List Removal Appeal
	:	
CSC Docket No. 2020-1467	:	
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ISSUED: MARCH 16, 2020 (JET)

Sanadiqiyah Roberts appeals the removal of her name from the Correctional Police Officer (S9988A), Department of Corrections, eligible list on the basis of an unsatisfactory driving record.

The appellant took the open competitive examination for Correctional Police Officer (S9988A), achieved a passing score, and was ranked on the subsequent eligible list which promulgated on June 27, 2019. The appellant’s name was certified to the appointing authority on July 4, 2019. In disposing of the certification, the appointing authority requested the removal of the appellant’s name on the basis of an unsatisfactory driving record. Specifically, the appointing authority asserted that the appellant failed to appear in court on two or more occasions within seven years of the date the subject list was issued. It is noted that the appointing authority submitted a report from the Automated Traffic System which reveals that the appellant failed to appear in court on August 16, 2019 and on September 2, 2019. It is noted that the appellant’s driving record also reveals various driving infractions including Obstructing Passage of Other Vehicles on June 28, 2018, Carless Driving on August 17, 2018, Speeding on October 10, 2018, and Failure to Appear on November 19, 2018.

On appeal to the Civil Service Commission (Commission), the appellant asserts, among other things, that, upon review of her records, she discovered that she failed to appear in Irvington Municipal Court on August 16, 2019. The appellant adds that, on July 30, 2019, she was issued summonses for two driving infractions including driving with a suspended license and for improper turning. The appellant explains that, at the time of the July 30, 2019 incident, she was

rushing home as she was pregnant and feeling sick. The appellant maintains that she appeared in court on August 8, 2019 and she took a driver's course on July 20, 2019. The appellant adds that she was unaware that she was scheduled to reappear in court on August 16, 2019 and September 2, 2019, but that she appeared in court on September 19, 2019 to schedule a trial date. Moreover, the appellant states that the matters were ultimately disposed of on October 4, 2019.

In response, the appointing authority maintains that the appellant failed to appear in court on two occasions. The appointing authority adds that the appellant admitted on appeal that she failed to appear in Irvington Municipal Court on August 16, 2019. As such, the appointing authority states that the appellant was properly removed from the list.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. *See In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998); *In the Matter of Yolanda Colson, Correction Officer Recruit (S9999A), Department of Corrections*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003).

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.

In this matter, the appellant's ability to drive a vehicle in a safe manner is not the main issue in determining whether or not she should remain eligible to be a Correctional Police Officer. The record reflects that the appellant failed to appear in court on three occasions on November 19, 2018, August 16, 2019, on September 2, 2019. The appellant admits on appeal that she did not appear in court on at least one occasion, and she offers no substantive explanation for her failure to appear on the other occasions. Additionally, the appellant's motor vehicle record reveals that she was involved in several motor vehicle infractions, including Obstructing Passage of Other Vehicles, Careless Driving, and Speeding. Moreover, the incidents

occurred less than two months after her name was certified on the eligible list, and less than a year prior to when she applied for the subject examination. In this matter, it is clear that the appellant's recent driving record shows a pattern of disregard for the law and questionable judgment on the appellant's part. Such qualities are unacceptable for an individual seeking a position as a Correctional Police Officer. Given the recency of such infractions, there is sufficient cause to remove the appellant's name from the subject list.

The Commission is ever mindful of the high standards that are placed upon law enforcement candidates and personnel. The public expects Correctional Police Officers to present a personal background that exhibits respect for the law and rules. In this regard, it is recognized that Correctional Police Officers are law enforcement employees who must help keep order in the State prisons, promote adherence to the law, and maintain the safety of the general population. Correction 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). Accordingly, the appointing authority has presented sufficient cause to remove the appellant's name from the eligible list for Correctional Police Officer (S9988A), Department of Corrections.

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 12th DAY OF MARCH, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: Sanadiqiyah Roberts
Veronica Tingle
Kelly Glenn