



**STATE OF NEW JERSEY**

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

In the Matter of Saudah Shabazz,  
Correctional Police Officer (S9988A),  
Department of Corrections

CSC Docket No. 2020-1873

List Removal Appeal

**ISSUED:** May 1, 2020

(SLK)

Saudah Shabazz appeals the decision to remove her name from the Correctional Police Officer (S9988A), Department of Corrections, eligible list on the basis of falsification of her application.

The appellant took the open competitive examination for Correctional Police Officer (S9988A), which had a January 31, 2019 closing date, achieved a passing score, and was ranked on the subsequent eligible list. In seeking her removal, the appointing authority indicated that the appellant falsified her application. Specifically, the appointing authority indicated that the appellant failed to disclose on her application that she was charged with Simple Assault – Purposely/Knowingly in August 2017. It indicated that the charge was dismissed.

On appeal, the appellant states that she has never assaulted anyone, nor has she ever received any notice informing her that she was charged with Simple Assault. She presents that she has been the subject of many background investigations and this is the first time that she was informed that she was charged with Simple Assault. She indicates that she would like to know more information about this accusation.

In response, the appointing authority states that its background investigation revealed that the appellant was charged with Simple Assault. It submits documentation from the State Automated Complaint System that indicates that another individual accused that appellant on August 23, 2017 of pushing her as she tried to exit an elevator.

## 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 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.

The primary inquiry regarding the removal of a candidate's name based on the falsification of his or her employment application 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. *See In the Matter of Nicholas D'Alessio*, Docket No. A-3901-01T3 (App. Div. September 2, 2003).

In this matter, the appointing authority had a valid reason for removing the appellant's name from the list. It provided documentation to show that the appellant was charged with Simple Assault in 2017, which the appellant failed to disclose on her application. The appellant claims that she was unaware that she was charged with Simple Assault. However, candidates are responsible for the accuracy of their applications. *See In the Matter of Harry Hunter* (MSB, decided December 1, 2004). Further, the appellant has not provided any documentation to indicate that the appointing authority's information is incorrect. Moreover, even if there was no intent to deceive, as this incident was less than two years prior to the January 31, 2019 closing date, her failure to disclose this incident 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. *See In the Matter of Dennis Feliciano, Jr.* (CSC, decided February 22, 2017). 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 municipal 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 29<sup>TH</sup> DAY OF APRIL, 2020



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Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Saudah Shabazz  
Lisa Gaffney  
Kelly Glenn  
Records Center