



**STATE OF NEW JERSEY**

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

In the Matter of Angelina Camacho,  
Correctional Police Officer (S9988U),  
Department of Corrections

List Removal Appeal

CSC Docket No. 2020-865

**ISSUE DATE: JUNE 5, 2020 (HS)**

Angelina Camacho appeals the removal of her name from the eligible list for Correctional Police Officer<sup>1</sup> (S9988U), Department of Corrections on the basis of falsification of the preemployment application.

The appellant, a non-veteran, took and passed the open-competitive examination for Correctional Police Officer (S9988U), which had a closing date of August 31, 2016. The resulting eligible list promulgated on March 30, 2017 and expired on June 18, 2019. The appointing authority requested the removal of the appellant's name due to falsification of her preemployment application. Specifically, the appointing authority asserted that the appellant failed to disclose that on December 1, 2016, she violated a local ordinance concerning residential municipal solid waste; that on September 23, 2016, she was charged with violating a local ordinance concerning property maintenance, which was dismissed; that on March 22, 2010, she was charged with issuing a bad check in violation of *N.J.S.A. 2C:21-5c(4)*, of which she was found not guilty; and that on April 1, 2010, she had contact with police resulting from a dispute with her landlord and was arrested for a warrant.

On appeal to the Civil Service Commission (Commission), the appellant maintains that she has been honest with the appointing authority to the best of her knowledge, but if any information was lacking, she would like to apologize. The appellant states that her intention was not to withhold any information. She also

<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.

submits copies of various documents she claims to have supplied to the appointing authority and which were e-mailed back to her. Among these documents is the court disposition for the bad check charge.

In response, the appointing authority indicates that it stands with its original decision to remove the appellant's name from the eligible list. It maintains that the instructions in the preemployment application clearly required the appellant to disclose the above-described information but that she failed to do so. It is noted that the application stated that "it is mandatory that you disclose all charges" and that "everything must be disclosed on this application regardless of the outcome." The application also asked if the candidate had "ever been arrested;" "ever had any police contact, been taken into custody, or charged with juvenile delinquency;" or "ever been ticketed, arrested or charged with a violation of a city or local ordinance of the Disorderly Persons Offense Act." In support, the appointing authority submits a copy of the appellant's preemployment application, documentation from the New Jersey Automated Complaint System (ACS), and police reports. The ACS documentation lists the appellant as the defendant for the local ordinance and bad check charges. The police reports describe that on April 1, 2010, the appellant's landlord called police after an argument with the appellant, and the appellant was arrested for a warrant.

In reply, the appellant claims that with respect to the local ordinance charges, it was actually her landlord who was fined. She also claims that she explained the bad check charge on her application and notes that she was found not guilty.

## 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 Commission to remove an eligible's name from an eligible list when 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 her name from an eligible list was in error.

In this case, the appointing authority maintains that the appellant did not disclose on her preemployment application her local ordinance and bad check charges; contact with police resulting from a dispute with her landlord; and arrest for a warrant. Although the appellant claims that she supplied the appointing authority with various documents, including the court disposition for the bad check charge, she offers no substantive evidence of having done so. Contrary to the appellant's claim that she explained the bad check charge on her application, no information concerning the charge appears on the application. While the appellant further claims that her landlord was the actual subject of the local ordinance charges, the ACS documentation clearly references the appellant. As such, the Commission cannot

credit her base assertions. Upon review of the record then, it is clear that the appellant did not disclose the previously-noted charges, police contact and arrest on her preemployment application. It must be emphasized that it is incumbent upon an applicant, particularly an applicant for a sensitive position such as a Correctional Police Officer, to ensure that her preemployment application is a complete and accurate depiction of her history. In this regard, 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 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. An applicant must be held accountable for the accuracy of the information submitted on an application for employment and risks omitting or forgetting any information at her peril. *See In the Matter of Curtis D. Brown* (MSB, decided September 5, 1991) (An honest mistake is not an allowable excuse for omitting relevant information from an application).

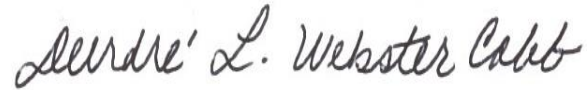
The appellant's omissions in this case are sufficient cause to remove her name from the eligible list. The instructions in the preemployment application clearly indicated that applicants were required to disclose all charges, including those concerning local ordinances, regardless of outcome; all arrests; and all negative police contacts. The type of omission presented is clearly significant and cannot be condoned as such information is crucial in an appointing authority's assessment of a candidate's suitability for the position. Indeed, an appointing authority's assessment of a prospective employee could be influenced by such information, especially for a position in law enforcement. Therefore, the information noted above, which the appellant failed to disclose, is considered material and should have been accurately indicated on her application. The appellant's failure to disclose the information is indicative of her questionable judgment. Such qualities are unacceptable for an individual seeking a position as a Correctional Police Officer. In this regard, the Commission notes that a Correctional Police Officer is a law enforcement employee who must help keep order in the State 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 the 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 prison guards to present a personal background that exhibits respect for the law and rules. Accordingly, there is a sufficient basis to remove the appellant's name from the subject 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 3<sup>RD</sup> DAY OF JUNE, 2020



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