

**STATE OF NEW JERSEY**

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

In the Matter of Jeffrey Adams,  
County Correctional Police Officer  
(S9999U), County of Essex

CSC Docket No. 2021-1687

Request for Reconsideration

**ISSUED: SEPTEMBER 7, 2021 (PS)**

Jeffrey Adams, represented by Giovanna Giampa, Esq. requests reconsideration of the final decision of the Civil Service Commission (Commission), rendered on March 24, 2021, which upheld the removal of his name from the County Correctional Police Officer (S9999U), County of Essex, eligible list on the basis that he falsified his application.

By way of background, the Commission denied the petitioner’s original appeal of his removal from the list on the basis that he had falsified his preemployment application as of the August 2016 closing date. Initially, the Commission rejected the appellant’s arguments regarding the New Jersey Department of Corrections guidelines. In this regard, these guidelines only apply to State Correctional Police Officers and have no bearing on Essex County’s decision. Regardless, the Commission noted that it was not bound in any way by an appointing authority’s internal standard in assessing the propriety of a candidate’s removal from a list. See *In the Matter of Joseph Hutsebaut* (CSC, decided April 19, 2017). Additionally, the Commission noted that the petitioner failed to disclose incidents in his background history which include moving violations between the years of 1988 and 2019 and numerous parking tickets. In this regard, the appellant’s driver’s abstract revealed he has had 14 licenses suspension between 1988 and 2011.

In his request for reconsideration, the petitioner contends that a clear material error has occurred. Specifically, the petitioner argues that he was not provided a copy of his actual answers to the background history application. In this regard, he asserts that he has never denied his past suspensions and he had previously resolved any outstanding tickets from his past and does not currently have any active tickets. He asserts that the primary inquiry in such a case is

whether the “withheld” information is material to the position sought. The petitioner maintains that most of his suspensions dated back to 1988-1998, with the most recent deriving from September 22, 2010 to September 17, 2011. He also maintains the “withheld information” were acts of omissions, simply due to the petitioner’s failure to recall incidents that happened between 10 and 30 years ago. The petitioner argues that these omissions were in no way indicative of a truthfulness issue.

It is noted that, despite the opportunity, the appointing authority did not respond.

## CONCLUSION

*N.J.A.C.* 4A:2-1.6(b) sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred, or present new evidence or additional information not presented at the original proceeding which would change the outcome of the case and the reasons that such evidence was not presented at the original proceeding. A review of the record in the instant matter reveals that reconsideration is not justified.

In the instant matter, the petitioner has not met the standard for reconsideration. In the prior matter, the Commission acknowledged that the appointing authority had a valid reason for removing the appellant’s name from the list. Specifically, the appellant failed to disclose incidents in his background history which included moving violations and numerous parking tickets. While the petitioner may believe that he did not need to disclose this information, candidates are responsible for accuracy of their applications, *See in the Matter of Harry Hunter* (MSB, decided December 1, 2004). Moreover, the Commission determined even if there was no intent to deceive, given the number and scope of the moving violations, parking tickets and license suspensions, his failure to disclose this information was material. Further, contrary to the petitioner’s assertion, omissions that are material to an appointing authority’s assessment of a candidate would be considered falsification. Additionally, the petitioner has not demonstrated in any way how his failure to receive his actual responses prejudiced him in any way as the Commission described the omissions in its prior decision and he has had full opportunity to explain the omissions. Regardless, the Commission is unpersuaded that the omissions were not material as they bear on the petitioner’s character and suitability for a law enforcement position. Therefore, the petitioner has not demonstrated that a material error has occurred nor presented new evidence which would change the outcome of his case. Accordingly, the Commission finds no grounds on which to grant reconsideration of its prior decision.

**ORDER**

Therefore, it is ordered that this request for reconsideration 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 1<sup>ST</sup> DAY OF SEPTEMBER, 2021

*Deirdre' L. Webster Cobb*

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