



STATE OF NEW JERSEY

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

In the Matter of William Tyler,
Police Captain (PM0883A),
Plainfield

CSC Docket No. 2022-1002

Examination Appeal

ISSUED: APRIL 11, 2022

William Tyler appeals his score for the technical portion of the oral examination for Police Captain (PM0883A), Plainfield. It is noted that the appellant passed the examination with a final average of 80.650 and ranks ninth on the resultant eligible list.

This was a two-part examination consisting of a multiple-choice portion and an oral portion. The examination content was based on a comprehensive job analysis. Senior command personnel from police departments, called Subject Matter Experts (SMEs), helped determine acceptable responses based upon the stimulus material presented to the candidates, and they scored the performances. In the oral portion of the examination, candidates were presented with a scenario, and were given time to read the scenario and the examination questions and to decide how to answer. In the examination room, candidates were read the questions relating to the scenario, and then they were given up to fifteen minutes to give their response to all questions. Nine candidates appear on the eligible list, which has been certified twice, and three appointments have been made.

Performances were audio and video recorded and scored by SMEs. Candidates were rated on a five-point scale, with 5 as the optimal response. The appellant scored a 2 for the technical component, and he scored a 4 for the oral communication component.

CONCLUSION

The scenario involved three situations occurring during the day. First thing in the morning, the candidate's subordinate calls to say that his unmarked car was stolen and inside were his identification cards and badge. Question 1 asked for actions to be taken in response to this information. Later in the morning, another subordinate shows the candidate a social media post from a resident stating she was pulled over by an unmarked car and the officer stated that they could work something out if she didn't want a ticket. This was clearly an impersonator, however, many public remarks were made that the police could not be trusted and a complaint would be ignored. Question 2 asked for actions that the candidate would personally take in response to the incident with the resident and police impersonator. The next morning, an officer finds the stolen vehicle with the suspect inside. All items were recovered, the suspect was identified, arrested, charged and processed. The incident was concluded and the candidate issued a press release notifying the public. The candidate reflects on the public comments that it was useless to file an Internal Affairs (IA) complaint for misconduct, and that the process was overly complicated. The candidate decides to issue a statement about the IA process, and question 3 asked for specific IA complaint process information to be included in the public statement.

After reviewing his test materials, the appellant disagrees with his score for the technical component. The assessor noted that the appellant missed the opportunities to process the scene, collect evidence, and/or deploy detectives/investigators/crime scene unit to the subordinate's residence in response to question 1, to preserve the resident's social media post in response to question 2, and to state that complaints can be made anonymously in response to question 3. On appeal, the appellant states that he said that detectives would be contacted to take statements and begin their investigation in response to question 1. Also, he states that he said that IA takes all complaints, from anyone, in response to question 3.

In reply, review of the recording and related examination material indicates that the appellant's score of 2 is correct. There were two incidents in this scenario, which involved two scenes. One was the at the subordinate's house where the car was stolen, and the other was on the road where the resident had been pulled over by the impersonator. The appellant took about 40 seconds to describe the first incident, and spent about half a minute giving two actions for that incident before moving on to question 2. Those actions did not include processing the scene, collecting evidence, and/or deploying detectives/investigators/crime scene unit to the subordinate's residence.

For question 2, the appellant summarized the question for about a minute, then responded to it for about a minute and ten seconds. In this response, that the

stated that he advised the resident that she would be contacted by patrol so they can take a report, and by detectives so that they can begin an investigation. The appellant was credited with this response and it contributed to his score. Nevertheless, the appellant did not deploy detectives to the residence where the car was stolen, and he cannot receive credit for answers that are implied or assumed. This is a formal examination setting, and candidates were required to verbally state what actions they were taking. If the appellant meant to send detectives to the residence where the car was stolen, he needed to have stated that action in his presentation. Also, for question 2, the appellant did not preserve the resident's social media post. He missed many opportunities to add more information for this question.

The appellant spent the majority of his time on question 3, where he earned the most credit. He stated that anyone can file a complaint, and this was another possible course of action for which he received credit. Nowhere in the presentation did the appellant state that complaints can be made anonymously. The appellant's responses to questions 1 and 2 were minimal, and he missed the actions noted by the assessor. His score of 2 is correct.

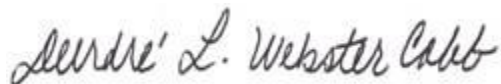
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and appellant has failed to meet his burden of proof in this matter.

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 6TH DAY OF APRIL 2022



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

c: William Tyler
Division of Test Development and Analytics
Records Center