



**STATE OF NEW JERSEY**

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

In the Matter of Daniel Corcoran, Sr.,  
Police Captain (PM4445C),  
Atlantic City

Examination Appeal

CSC Docket No. 2022-3231

**ISSUED: August 24, 2022 (RE)**

Daniel Corcoran, Sr. appeals his score for on the essay portion of the examination for Police Captain (PM4445C), Atlantic City. It is noted that the appellant passed the examination with a final average of 91.010 and ranks fourth on the resultant eligible list.

This was a two-part examination consisting of a multiple-choice portion and an essay 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 essay portion of the examination, candidates were presented with a scenario, and were directed to respond to all four parts. Ten candidates appear on the eligible list, which has not yet been certified. For the essay portion, on a scale of 1 to 5, the appellant scored a 4 for the technical supervision/problem solving/decision making component.

**CONCLUSION**

The scenario involved receipt of a call regarding a young man having an overdose. Part A indicates that the candidate opts to report to the residence as it is that of the Police Chief who is away on vacation and the caller was the Chief's daughter. The question asked for actions to be taken, or ensure are taken, while at the residence. The assessor indicated that the appellant missed the opportunity to notify the Chief (Part A).

The appellant argues that he stated that he would notify the Chief, and contends that this may have been overlooked. Regardless, he added that a crime occurring at the Chief's residence would most certainly trigger an administrative investigation. By Attorney General guidelines, such investigations involving a Chief would be handled by the Prosecutor's Office or the Attorney General's Office. Therefore, the immediate "courtesy" contact seems highly inappropriate given the circumstances. The position as the Chief does not supersede the investigation and therefore he should not be contacted until after spoken to by the assigned investigating entity. He argues that speaking with the Chief when he returns, after the investigation, is a more appropriate and professional action.

In reply, instructions to candidates indicated that all responses must be legible and comprehensible so that the intent of the responses can be understood by those scoring the responses. Also, credit cannot be given for information that is implied or assumed, but is awarded solely based on what is written. For Part A, a review of the essay indicates that the appellant stated, "Advise Chief of the occurrence upon his return." The question asked, "What actions should you personally take, or ensure are being taken, **while at the Jones residence?**" (emphasis added).

Five SMEs are in agreement that a candidate needed to notify the Chief (or at least attempt to call/email/contact him in some way while he was on his trip) because there was criminal activity at his house and his daughter was involved. Given the public interest that might have been generated by the Chief's daughter being involved in a drug overdose at the Chief's home, it was appropriate to try to tell him what was going on, and as a courtesy to let him know that drug activity was occurring in his home. Advising the Chief of the occurrence upon his return is not the same as informing him on the day it happened.

The scenario did not state for how long the Chief would be away or when he would return. Further, the SMEs indicated that it was just a simple "notification," and there was no suggestion that anyone was trying to tip the Chief off to an investigation or give any kind of confidential information. The SMEs indicated that the Chief's neighbor could have just as easily called him to say, "We see some police activity taking place at your home." It would be more appropriate for the Chief to hear that news from the Police Captain first than for him to have to hear about it from someone else. Also, the SMEs noted notifying the Chief after his return is inappropriate because it is not clear if the investigation that the appellant claims would be conducted would have been completed by his return. Yet the appellant indicated that he would notify him whenever he returned, and did not qualify that by saying "and when the investigation is over." The appellant did not notify the Chief in Part A, and this action is appropriate to the scenario. Viewed holistically, the appellant's presentation warrants a score of 4, but he missed further actions to enhance his score.

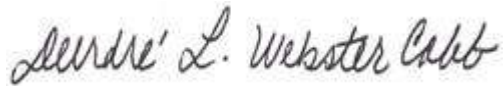
A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and appellant has failed to meet his burden of proof in this matter.

**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 24<sup>TH</sup> DAY OF AUGUST, 2022



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Deirdré L. Webster Cobb  
Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

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

c: Daniel Corcoran, Sr.  
Division of Test Development and Analytics  
Records Center