



**STATE OF NEW JERSEY**

In the Matter of Anthony Woodard,  
Parole Officer Recruit (S1000A),  
State Parole Board

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

CSC Docket No. 2023-684

List Removal Appeal

**ISSUED: May 24, 2023 (JET)**

Anthony Woodard appeals the removal of his name from the Parole Officer Recruit (S1000A), State Parole Board eligible list on the basis of an unsatisfactory background report.

The appellant took the open competitive examination for Parole Officer Recruit (S1000A), achieved a passing score, and was ranked on the subsequent eligible list. The appellant’s name was certified on February 25, 2022 (OS220081). In disposing of the certification, the appointing authority requested the removal of the appellant’s name from the eligible list on the basis of an unsatisfactory background report. Specifically, the appointing authority asserted that the appellant has an unsatisfactory driving record, including 11 moving violations and four non-moving violations. The appellant’s driving abstract indicates that he was charged with Careless Driving on December 18, 2018; Failure to Comply with Police Instructions on March 26, 2018; Unsafe Operation of a Motor Vehicle on March 14, 2017 and on March 17, 2009; Involved in an Accident – Police Report on February 27, 2016 and on October 19, 2009; Non-Payment of Insurance Surcharge on January 24, 2016, October 25, 2015, January 11, 2015 and on June 23, 2013; violation of the Parking Offenses Adjudication Act on July 23, 2015; Improper Display/Fictitious Plates on June 1, 2015 and on February 15, 2015; Improper Visibility/Lights on February 15, 2015; Operating Vehicle While Suspended or Revoked License on February 15, 2013; Failure to Comply with Court Installment Order on February 8, 2012; Failure to Wear a Seat Belt on January 24, 2012 and on March 16, 2011; seven suspensions of

his driver's license and commercial driver's license between August 26, 2011 and February 5, 2016; and seven incidents of Failure to Appear in Court between July 2015 and August 2021. The appointing authority also indicated that on March 26, 2018, the appellant was charged in Pennsylvania with Failure to Comply with Police Instructions, which he erroneously listed on the employment application as an infraction that he received in New Jersey.<sup>1</sup>

Additionally, the appointing authority alleged that the appellant falsified the employment application, as he failed to list eight moving violations.<sup>2</sup> The appointing authority indicated that, when the appellant was asked to explain the above noted omissions, he stated that he was unable to recall his entire driving history and was only able to obtain a copy of his five-year driving history.

On appeal to the Civil Service Commission (Commission), the appellant explains that he failed to appear in court in 2015 because he was attending college at the time and did not own a vehicle, and he shared a vehicle with his mother. The appellant states, in relevant part, that he rescheduled the various hearing dates where he failed to appear in February, March, July, October and November 2015, and he paid all the outstanding fines and summonses against him.<sup>3</sup> The appellant contends that on June 3, 2019, a summons was issued against him for which he was not involved, and he was unaware that he was required to appear in court on October 25, 2019, but that his mother paid the summons for that matter. The appellant explains that, although his five-year driving abstract indicated that he was charged in Pennsylvania with Failure to Comply with Police Instruction, he was unsure if he was actually charged with that infraction at the time the employment application was submitted to the appointing authority. The appellant states that he did not intend to fail to follow orders from the police at the time of the incident. Moreover, the appellant asserts that while he was in college, his driver's license was suspended on multiple occasions because he did not receive mail that was delivered to his mother's address.

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<sup>1</sup> The appointing authority also provided information from the Automated Traffic System, indicating that he was charged with Failure to Observe Traffic Control Device on April 30, 2021; Failure to Have Vehicle Inspected on June 3, 2019 and June 12, 2015; Driving or Parking Unregistered Motor Vehicle on June 3, 2019; a Safety Glass Requirement violation on October 14, 2015 and February 15, 2015; Obstruction of Windshield for Vision on June 1, 2015; Overtime Parking violation on February 26, 2015; Improper Display/Unclear Plates on June 1, 2015 and February 15, 2015; Visibility/Lights violation on February 15, 2015; Failure to Possess Driver's License on February 7, 2015; Delaying Traffic on February 15, 2013; Driving After Driver's License/Registration Suspended/Revoked on February 15, 2013; Return or Surrender of Suspended/Revoked Driver's License or Registration on February 15, 2013; Failure to Possess Driver's License on September 23, 2011; and Failure to Wear Seat Equipment- Responsibility of Driver on March 16, 2011.

<sup>2</sup> The appointing authority did not provide a copy of the employment application for review in this matter.

<sup>3</sup> In support, the appellant provides documentation indicating that he appeared in court and paid fines and summonses on June 1, 2015; July 14, 2015; July 24, 2015; September 16, 2015; November 30, 2015; June 12, 2019; July 15, 2019; and on October 25, 2021.

In response, the appointing authority maintains that the appellant's name should be removed from the subject list, as his background and driving record history includes failing to appear in court on two or more occasions within the last eight years, 11 moving violations, four non-moving violations, and seven suspensions of his driver's license. The appointing authority adds that the appellant admits that he failed to appear in court, and while he may have rescheduled the matters for a later date, such information does not overcome that he admittedly did not appear in court on multiple occasions. The appointing authority indicates that the appellant's explanation that his driver's license was suspended because he did not receive mail that was delivered to his mother's address is a careless excuse, and his sharing of a vehicle to attend college classes does not explain why he failed to appear in court on multiple occasions. The appointing authority adds that the appellant did not mention that he shared a vehicle with his mother at the time the background investigation was conducted, and since he was the driver of the vehicle, he was responsible for paying the summonses issued against him. The appointing authority adds that the appellant did not disclose at the time of the background investigation that a friend drove his vehicle in 2019 without his consent. The appointing authority states that it is unlikely that the appellant had to travel a great distance to his mother's house in order to receive notice of the court dates through the mail, but regardless, it was his responsibility to appear in court on the scheduled dates. Moreover, the appointing authority states that, with respect to the Pennsylvania charge of Failing to Comply with Police Instruction, the appellant indicated on the employment application that the summons was issued in New Jersey and stated in another section of the application that he was unsure about where the summons was issued. The appointing authority adds that when the appellant was asked during the background investigation about the summons, he explained that he was given a summons by a Police Officer in Philadelphia, and the Police Officer claimed that he "jumped into his vehicle" and that he did not follow directional motions in the parking lot. The appointing authority states that the appellant now states that he remembered the incident after consulting with his brother, despite pleading guilty to the charge on May 24, 2018. The appointing authority asserts that, while the appellant states that he did not intend any disrespect or fail to follow orders, the information he provided during the background investigation was contrary to the information he provided on his employment application.

### 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 individual from an eligible 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:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes,

but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. *See In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998); *In the Matter of Yolanda Colson, Correction Officer Recruit (S9999A), Department of Corrections*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003).

Initially, with respect to the appellant's driving infractions, the record reflects numerous motor vehicle infractions, including 11 moving violations, four non-moving violations, seven suspensions of his driver's license and commercial driver's license, and multiple incidents of failure to appear in court. Although the appellant argues that he rescheduled the matters and appeared in court, and he eventually paid the outstanding fines and summonses, such information does not overcome his failure to appear in court when he was initially required to do so on the required dates. Although the appellant argues that he did not receive mail as it was delivered to his mother's house and, as such, was not notified that he was required to appear in court, even presuming the validity of such information, the Commission is not convinced. It was the appellant's responsibility to appear in court on the required dates. Although the appellant provides documentation from various municipal courts to show that he paid the fines and summonses against him, such information does not substantively establish that he was unaware of the charges against him. Moreover, the fact that he paid the fines and summonses on a later date does not cure that he failed to appear in court on several occasions, nor does it overcome his involvement in the above noted multiple driving infractions. Moreover, the appellant's tenuous arguments, including that he was sharing a vehicle with his mother while attending college, a friend took his vehicle without his permission, and his driver's license suspensions occurred and he failed to appear in court because his mail was delivered to his mother's house, in and of themselves, do not overcome the multitude of serious driving infractions, explain the multiple instances of his failure to appear in court, or constitute valid reasons for the multiple suspensions of his driver's license. The appellant does not provide any substantive evidence on appeal to dispute this information.

The appellant's ability to drive a vehicle in a safe manner is not the main issue in determining whether or not he should remain eligible to be a Parole Officer Recruit. Rather, such violations evidence a disregard for the motor vehicle laws and the exercise of poor judgment. The appellant has offered no persuasive substantive explanation for these infractions. In this matter, it is clear that the appellant's

driving record shows a pattern of disregard for the law and questionable judgment. Such qualities are unacceptable for an individual seeking a position as a Parole Officer Recruit. The public expects Parole Officer Recruits to present a personal background that exhibits respect for the law and rules. The multitude and recency of such driving infractions and prior suspensions of his driver's license reflect a disregard for the motor vehicle laws and rules, which is unacceptable for a candidate applying for a law enforcement position. Therefore, the appellant has not met his burden of proof in this matter and it was appropriate to remove him from the subject list.

Accordingly, for the reasons set forth above, the appointing authority has presented sufficient cause to remove the appellant's name from the eligible list for Parole Officer Recruit (S1000A), State Parole Board.

As the appellant was removed for the above noted reasons, it is unnecessary to address the alleged falsification issues.

### **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 MAY, 2023

*Allison Chris Myers*

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