



**STATE OF NEW JERSEY**

In the Matter of Lakeya White,  
Correctional Police Lieutenant  
(PS0085I), Department of Corrections

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

CSC Docket No. 2025-29

Examination Appeal

**ISSUED:** January 15, 2025

Lakeya White appeals the make-up examination for Correctional Police Lieutenant (PS0085I), Department of Corrections.

The make-up for the subject examination was administered on May 23, 2024, via a computer-based testing system and consisted of 80 multiple-choice items. The appellant appealed items 19, 20, 41 and 78.

An independent review of the issues presented under appeal has resulted in the following findings:

Question 19 and 20 referred to the following scenario provided in the test booklet:

Approximately 50 inmates were in the outdoor recreation yard when Officers Scott and Michael arrived to escort Inmate Bernard from the yard. Inmate Bernard was being brought to a secure location to be questioned regarding a contraband investigation. As Inmate Bernard was being escorted from the yard, inmates began throwing rocks and attacking Officers Scott and Michael. A code was called, and a team arrived to secure the scene. A verbal warning was announced for the inmates to stop attacking and they refused.

Question 19 asks for the best way to handle the attacking inmates at this point. The keyed response is option c, "Deploy oleoresin capicum (O.C.) spray." The appellant, who selected option b, "Utilize a firearm with rubber bullets," argues that

“you cannot deploy OC effectively in a yard with 50 inmates. The wind could affect and not be useful. Also, the inmates are throwing rocks, you need a stand off distance [sic].” It is noted that the Division of Test Development, Analytics and Administration (TDAA) contacted Subject Matter Experts (SMEs) regarding this matter who indicated option b is considered deadly force and would not be appropriate under these circumstances. *See N.J.A.C. 13:95-3.4.* Given that this question does not indicate certain factors, *e.g.*, the size of the yard, how far away the inmates are from the officers, whether there are inmates who are not throwing rocks and their location, or the wind direction, which may affect the effectiveness and/or the determination to implement OC spray, it is not clear how candidates could arrive at the keyed response. As such, the Division of Test Development, Analytics and Administration (TDAA) determined to omit this item from scoring.

Question 20 indicates that once the inmates were subdued and secured, both custody staff and inmates received necessary medical attention. The question presents candidates with three actions and asks which are the most appropriate at this point. The keyed response is option d, II, “Start an investigation into the attack,” and III, “Continue the contraband investigation and the questioning of Inmate Bernard.” The appellant, who selected option b, II only, maintains that “the riot situation takes priority. The investigation can wait. Inmate Bernard can be questioned at another time.” It is noted that TDAA contacted SMEs regarding this matter who indicated that multiple investigations are conducted at the same time and there are multiple investigators at every institution. The SMEs noted that all investigations are conducted when they arise and if an investigation were delayed simply because another matter occurred, then most investigations would not be completed. Specifically, the SMEs indicated that the assaults may have been an attempt to divert attention from the contraband and Inmate Bernard. The SMEs noted that if the contraband investigation were to be delayed, it might lose traction during the delay. Accordingly, the question is correct as keyed.

Question 41 refers to an excerpt from the Willisburg State Correctional Facility Code of Conduct provided to candidates in their test booklets. The question indicates that Officer Johansen and his wife went to a local diner for breakfast and received a 25% discount off of their meal. The question asks, based on the Willisburg State Correctional Facility Code of Conduct, for the true statement. The keyed response is option d, “More information is needed to determine whether or not there was a violation of the Willisburg State Correctional Facility Code of Conduct.” The appellant argues that option b, “The Willisburg State Correctional Facility Code of Conduct was violated,” is correct. The appellant asserts that “the policy states you may not accept goods, services or discounts of value not available to the general public and the discount wasn’t offered [to the] general public. The question does not clarify whether or not it wasn’t.” It is noted that the Willisburg State Correctional Facility Code of Conduct provides, in pertinent part:

#### IV. ABUSE OF LAW ENFORCEMENT AUTHORITY OR POSITION

A. Prohibited actions:

1. Officers may not accept goods, services, or discounts of value not available to the general public.
2. Officers shall not use their authority or position:
  - iii. to barter, solicit, or accept any goods or services, such as gratuities, gifts, discounts, rewards, loans, or fees, whether for themselves or others.

Given that the question does not indicate whether the discount was available to the general public or whether Officer Johansen used his authority or position to obtain the discount, more information is needed to determine whether the policy was violated. As such, the question is correct as keyed.

Question 78 indicates that you and Lieutenant Jonas have come through the ranks together and have known each other for several years. Lately, you have been worried about Lieutenant Jonas because he's been engaging in behavior unbecoming of a correctional police officer, which you believe is out of character for him. You are driving him home and want to discuss your concerns with him. The question asks for the best way to start the conversation. The keyed response is option a, "I am worried about you and would like to talk to you about it." The appellant, who selected option c, "I believe there has been something going on in your life by the way you've been acting. I'm concerned and would like for you to talk about it with me," presents that "their relationship is friendly. Driving home, he can approach Lt. Jonas in a different manner." It is noted that Gerald W. Garner, *Supervising Police Employees in the Twenty-First Century* (2019), in Chapter 10, "Your Role as Counselor and Confidant," under the section, "Some Problem-Solving Techniques," indicates that basic rules when working with a counselee include "don't be judgmental." As Garner further notes, the use of "you" tends to bring with it blame for something." Option c appears to be judgmental and somewhat accusatory, *i.e.*, "I *believe* there has been something going on in *your* life by the way *you've* been acting." In other words, you assume that there is something wrong. Furthermore, option c corners Lieutenant Jonas into speaking with you, *i.e.*, "[I] would like for you to talk about it with me." Conversely, option a lacks the accusatory and/or judgmental tone of option c and allows Lieutenant Jonas to decline having a conversation if he chooses. As such, option c is not the best response.

## CONCLUSION

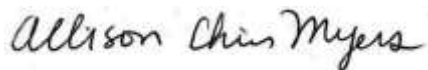
A thorough review of appellant's submissions and the test materials reveals that the appellant's examination score is amply supported by the record, and the appellant has failed to meet her burden of proof in this matter.

**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 15<sup>TH</sup> DAY OF JANUARY, 2025



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