



STATE OF NEW JERSEY

In the Matter of Christian Colon,
Passaic County, Sheriff's Office

CSC Docket No. 2024-2101

OAL Docket No. CSR 05142-24

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

ISSUED: FEBRUARY 26, 2025

The appeal of Christian Colon, County Correctional Police Officer, Passaic County, Sheriff's Office, removal, effective April 10, 2024, on charges, was heard by Administrative Law Judge Patrice E. Hobbs (ALJ), who rendered her initial decision on January 13, 2025. Exceptions were filed on behalf of the appellant and a reply was filed on behalf of the appointing authority.

Having considered the record and the ALJ's initial decision, and having made an independent evaluation of the record, including a thorough review of the exceptions and reply, the Civil Service Commission (Commission), at its meeting on February 26, 2025, adopted the ALJ's Findings of Facts and Conclusions of Law and her recommendation to uphold the removal.

As indicated above, the Commission has thoroughly reviewed the exceptions filed in this matter and finds them unpersuasive. The appellant's contentions in his exceptions all essentially boil down to his disagreement with the ALJ's findings, which ultimately turn on her assessment of the credibility of the witnesses.

Initially, the Commission notes that the ALJ did not present explicit credibility determinations as to each witness. While the appellant, in his exceptions, argues that the ALJ's determinations "ignored" certain testimony, and thus, the appointing authority did not sustain its burden of proof, the Commission is not persuaded. In this regard, the Commission acknowledges that the ALJ, who has the benefit of hearing and seeing the witnesses, is generally in a better position to determine the credibility and veracity of the witnesses. *See Matter of J.W.D.*, 149 N.J. 108 (1997). "[T]rial courts' credibility findings . . . are often influenced by matters such as observations of the character and demeanor of the witnesses and common human experience that are not transmitted by the record." *See also, In re Taylor*, 158 N.J. 644 (1999) (quoting *State v. Locurto*, 157 N.J. 463, 474 (1999)). Additionally, such

credibility findings need not be explicitly enunciated if the record as a whole makes the findings clear. *Id.* at 659 (citing *Locurto, supra*). The Commission appropriately gives due deference to such determinations. However, in its *de novo* review of the record, the Commission has the authority to reverse or modify an ALJ's decision if it is not supported by sufficient credible evidence or was otherwise arbitrary. See *N.J.S.A. 52:14B-10(c)*; *Cavalieri v. Public Employees Retirement System*, 368 *N.J. Super.* 527 (App. Div. 2004). The Commission finds no persuasive evidence in the appellant's exceptions or the record to demonstrate that the ALJ's detailed findings and conclusions were arbitrary, capricious or unreasonable. Here, while the ALJ did not "explicitly enunciate" her credibility determination as to each witness, her findings and conclusions based on her assessment of the record makes those findings clear. As such, the Commission finds those determinations worthy of due deference and ascertains no basis in the record or the appellant's exceptions to find otherwise.

Regarding the penalty, similar to its assessment of the charges, the Commission's review of the penalty is *de novo*. In addition to its consideration of the seriousness of the underlying incident in determining the proper penalty, the Commission also utilizes, when appropriate, the concept of progressive discipline. *West New York v. Bock*, 38 *N.J.* 500 (1962). In determining the propriety of the penalty, several factors must be considered, including the nature of the appellant's offense, the concept of progressive discipline, and the employee's prior record. *George v. North Princeton Developmental Center*, 96 *N.J.A.R. 2d* (CSV) 463. However, it is well established that where the underlying conduct is of an egregious nature, the imposition of a penalty up to and including removal is appropriate, regardless of an individual's disciplinary history. See *Henry v. Rahway State Prison*, 81 *N.J.* 571 (1980). It is settled that the theory of progressive discipline is not a "fixed and immutable rule to be followed without question." Rather, it is recognized that some disciplinary infractions are so serious that removal is appropriate notwithstanding a largely unblemished prior record. See *Carter v. Bordentown*, 191 *N.J.* 474 (2007). Even when a law enforcement officer does not possess a prior disciplinary record after many unblemished years of employment, the seriousness of an offense may nevertheless warrant the penalty of removal where it is likely to undermine the public trust. In this regard, the Commission emphasizes that a law enforcement officer is held to a higher standard than a civilian public employee. See *Moorestown v. Armstrong*, 89 *N.J. Super.* 560 (App. Div. 1965), *cert. denied*, 47 *N.J.* 80 (1966). See also, *In re Phillips*, 117 *N.J.* 567 (1990).

In her initial decision, the ALJ found:

Colon is not an ordinary citizen. He volunteered to be trained as a corrections officer and serve the public. He agreed to the rules and regulations of Passaic County. His conduct was egregious enough to warrant his removal. While under the influence of alcohol, he had a fight with his then-girlfriend, who was also the mother of his child. All three resided at the same residence. The argument escalated to a physical altercation where he not only placed his hands on her arms but

also around her neck in a pinching manner. He placed his arms on her person with sufficient force to leave red markings. After he placed his hands on her, Quinones felt unsafe, locked herself in the bathroom and called the police. Colon cannot therefore continue to serve as a CPO if even the mother of his child felt unsafe in his presence. Colon further failed to report the incident to Passaic County until two weeks after the charges. Not only did he fail to report the incident, but he was also not forthcoming about the incident itself. I therefore **CONCLUDE** that Colon must be terminated from his position as a correctional police officer because of his physical altercation with his girlfriend and his lack of candor with Passaic County.

In this matter, the Commission agrees with the ALJ and finds that the appellant's infractions are egregious and inimical to what the public expects from a law enforcement officer, who is held to a higher standard. Clearly, the appellant's conduct, and especially his subsequent lack of veracity is significantly problematic and cannot be countenanced in any public employee and especially not a law enforcement officer. As such, a penalty less than removal would serve to undermine the public trust. Accordingly, the Commission finds the penalty of removal neither disproportionate to the offense nor shocking to the conscious.

ORDER

The Civil Service Commission finds that the action of the appointing authority in removing the appellant was justified. The Commission therefore upholds that action and dismisses the appeal of Christian Colon.

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 26TH DAY OF FEBRUARY, 2025

Allison Chris Myers

Allison Chris Myers
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

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

Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSR 05142-24

AGENCY DKT NO. 2024-2101

**IN THE MATTER OF CHRISTIAN COLON,
PASSAIC COUNTY SHERIFF'S OFFICE.**

Frank C. Cioffi, Esq., for petitioner Christian Colon (Sciarra, Catrambone, Curran & Gray, LLC, attorneys)

Albert C. Buglione, Esq. (Buglione, Hutton & DeYoe, LLC, attorneys) and **Nadege D. Allwaters**, County Counsel, for respondent Passaic County Sheriff's Office (Nadege D. Allwaters, County Counsel)

Record Closed: December 15, 2024

Decided: January 13, 2025

BEFORE **PATRICE E. HOBBS, ALJ**:

STATEMENT OF THE CASE

Petitioner, Christian Colon, appeals his removal from the Passaic County Sheriff's Office (Passaic County) because he committed an act of domestic violence, failed to notify his employer of those charges, and gave false testimony. Can an employer terminate him solely for an act of domestic violence even though the charges were dismissed? Yes,

under N.J.A.C. 4A:2-2.3, a public employee must conduct themselves in a manner that is morally and legally acceptable.

PROCEDURAL HISTORY

On April 10, 2024, Colon, a correctional police officer (CPO), was terminated by Final Notice of Disciplinary Action (Final Notice) for violation of N.J.A.C. 4A:2-2.3(a)(3): Inability to perform duties; N.J.A.C. 4A:2-2.3(a)(6): Conduct unbecoming a public employee; N.J.A.C. 4A:2-2.3(a)(12): Other sufficient cause, lying, conduct subversive of good order and discipline of the department, failure to comply with the Sheriff's orders, directives, regulations, etc., oral and written, and also those of supervisors and superiors, Rules 2:1, 2:21, 3:13, 3:43, 3:7.11, 3:13.5. The Final Notice also charges that Colon's license will not be renewed by the Police Training Commission (PTC) because of the domestic violence charge. On April 16, 2024, this matter was filed with the Office of Administrative Law (OAL) for a hearing under N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13. A prehearing conference was held on April 30, 2024, and the hearing dates were scheduled for July 18, 2024, and July 19, 2024. The hearing date for July 19, 2024, had to be adjourned because there was a global computer issue that affected the ability to record the proceedings. The hearing concluded on July 31, 2024. Post-hearing submissions were received on December 15, 2024, and on that date, I closed the record.

FACTUAL DISCUSSION AND FINDINGS OF FACT

Based upon the testimony the parties provided and my assessment of its credibility, together with the documents the parties submitted and my assessment of their sufficiency, I **FIND** the following **FACTS**:

Colon has been employed as a CPO since 2019 with no prior disciplinary actions. (P-3; P-7.) On June 28, 2021, Colon was involved in an altercation with his girlfriend, Jessica Quinones. At the time of the incident, they were not married but were living together. Colon and Quinones had their newborn infant in the residence at the time. A police report from the Parsippany-Troy Hills Police Department (police report) indicates that Colon was arrested and charged with assault and aggravated assault against

Quinones. (R-3.) The police report states that Colon had been under the influence of alcohol and became irate at a television show. As Quinones was walking to the bedroom, Colon threw a beer can at her. He followed her to the bedroom, pinched and grabbed her neck, pushed her onto the bed and began to choke her. (P-5.) She pushed him off, and, in the process, broke his necklace and scratched his chest. (R-11.) Feeling unsafe, she locked herself in the bathroom and called the police. Photographs (R-4) show visible red scratches on her neck and left arm, as well as visible scratches and redness on Colon's chest and hands. Colon was arrested and charged with aggravated assault. (P-10.) His service weapon and all ammunition were taken by the arresting officers.

On June 28, 2021, Detective Tracz from the Passaic County Prosecutor's Office contacted Detective Sergeant Tiffany Baram of the Special Investigations Division (SID) and notified her that Colon was arrested and charged with aggravated assault. (R-2.)

Passaic County Employee Policies and Procedures require all employees to self-report any arrest or allegation of domestic violence, at least immediately or within four hours of the charges. (R-12.) On July 15, 2021, two weeks after the incident, Colon submitted a Correctional Services Incident Report (incident report) which stated that he had a verbal argument with Quinones and grabbed her arms in self-defense. (P-6.) It also indicated that he was arrested and processed at the Parsippany-Troy Hills Police Department. This is Colon's first report of the incident to Passaic County.

On December 22, 2021, six months after the incident, Colon was indicted and charged with aggravated assault. Two years after the incident, on August 11, 2023, the charges were dismissed without prejudice (P-9), and Colon entered the Pretrial Intervention Program (PTI). (R-6.) The PTI dismissal states that the charges are postponed for a period of twelve months and are subject to successful completion of PTI. Only then are the charges dismissed with prejudice. A failure to complete PTI could result in the charges being reinstated. Successful completion of PTI would have occurred after the conclusion of these proceedings.

In April 2023, Colon's SID file was transferred to Detective Sergeant Chinere Jenkins. Jenkins notified Colon and the PBA President John Welsh that Colon was the subject of an administrative investigation and requested a written report for the June 28, 2021, incident.

On September 6, 2023, in response to Jenkins' request, Colon prepared a second incident report. (P-7.) This report states that on June 28, 2021, Colon attended a baby shower with Quinones, where he consumed alcohol. After the baby shower, Colon went to a friend's home before returning home at one o'clock in the morning. Colon and Quinones got into a verbal argument that became physical when Colon had to defend himself from Quinones's aggressive behavior. Colon stated that since then, he and Quinones were married, and they now have two children together.

On September 15, 2023, Jenkins interviewed Colon as part of the administrative investigation. Jenkins explained that any employee personally involved in a criminal matter must be investigated to determine whether the employee will remain employed. Jenkins reviewed the police report and conducted interviews with the police officers who responded to the incident on June 28, 2021. She also spoke with the prosecutors' office to obtain the final disposition of the aggravated assault charge. Jenkins never contacted Quinones because her investigation was focused on the actions of Colon and not those of Quinones. At the conclusion of the investigation, Jenkins opined that Colon had physically assaulted Quinones and had violated the department's rules and regulations concerning ethics, core values, obedience to laws and rules, reporting, and truthfulness.

On July 16, 2024, Quinones gave a recorded statement to Rodney Baron, an investigator employed by attorneys for Colon. Quinones stated in her statement and testified that she felt vulnerable because ten male officers responded to the 911 call. However, only five officers are noted in the police report. Colon and Quinones concur that there was a verbal argument on June 28, 2021, and that this verbal argument led to Colon placing his hands on Quinones's arms, which left visible red marks. The verbal argument became physical. At some point during the physical argument, Colon's hands encircled Quinones's neck and caused red finger markings visible to the naked eye.

Contrary to the police report and her handwritten report of the incident dated June 28, 2021 (P-5), Quinones stated that she went to the bathroom and deliberately made the markings on her neck much worse. Quinones stated that she made the markings worse because she had discovered that Colon was involved with another woman, and she was angry.

Colon had been working continuously from June 28, 2021, until January 1, 2024, when he was terminated.

LEGAL DISCUSSION AND CONCLUSIONS OF LAW

The Civil Service Act (The Act) and regulations promulgated under the Act govern the rights and duties of a civil service employee. N.J.S.A. 11A:1-1 to 11A:12-6; N.J.A.C. 4A:2-1.1 to 4A:2-6.2. A civil service employee who commits a wrongful act related to his or her duties or who gives other just cause may be subject to major discipline. N.J.S.A. 11A:2-6; N.J.A.C. 4A:2-2.3. Employees who are engaged in conduct unbecoming, among other things, are subject to discipline. N.J.A.C. 4A:2-2.3(a)(6).

The issues to be determined at the de novo hearing are whether Colon is guilty of the charges brought against him and, if so, the appropriate penalty, if any, that should be imposed. Henry v. Rahway State Prison, 81 N.J. 571 (1980); W. New York v. Bock, 38 N.J. 500 (1962). In this matter, Passaic County bears the burden of proving the charges against Colon by a preponderance of the credible evidence. In re Matter of Revocation of the License of Polk License Revocation, 90 N.J. 550 (1982); Atkinson v. Parsekian, 37 N.J. 143 (1962).

Colon has been charged with a violation of N.J.A.C. 4A:2-2.3(a)(1): Inability to perform duties; N.J.A.C. 4A:2-2.3(a)(6): Conduct unbecoming a public employee; and N.J.A.C. 4A:2-2.3(a)(12): Other sufficient cause.

"Inability to perform duties" as codified at N.J.A.C. 4A:2-2.3(a)(1). In general, incompetence, inefficiency, or failure to perform duties exists where the employee's conduct demonstrates an unwillingness or inability to meet, obtain, or produce effects or

results necessary for adequate performance. Briggs v. Dep't of Civ. Serv., 64 N.J. Super. 351, 356 (App. Div. 1960) (employee must be qualified to perform the duties of the job as outlined by the appointing authority). An employee must be able to perform his duties physically, intellectually, and psychologically. A charge under N.J.A.C. 4A:2-2.3(a)(1) challenges his ability to perform the duties associated with the position. Passaic County was aware of the domestic violence incident on the date it occurred. They were notified by the prosecutor's office. When they received that notification, Passaic County did not initiate any investigation. There is no dispute that Colon failed to inform them; however, there is also no dispute that they were aware of the arrest and the charges. From that time in 2021 to 2024, Passaic County did not suspend or terminate Colon. Passaic County did not suspend Colon or in any way challenge his performance as a CPO. As such, I **CONCLUDE** that Passaic County has not met its burden to sustain a charge of N.J.A.C. 4A:2-2.3(a)(1): Inability to perform duties. Colon worked all his shifts from 2021 until he was terminated.

Passaic County also argues that its decision to terminate Colon for an inability to perform duties was motivated by the fact that the PTC will not be issuing Colon a new license. Passaic County further argues that the PTC would not be able to issue Colon a new license because of the domestic violence charges. (Resp't's Br. at 17.) There was no testimony or documentary evidence presented at the hearing in support of or in opposition to Passaic County's argument. Whether or not Colon holds a license to be a CPO at the conclusion of his appeal of the charges, or could be licensed should he be reinstated, is not for this tribunal to decide. The only issue for my determination is whether Passaic County can prove all the charges brought against Colon. I **CONCLUDE** that Passaic County has not met its burden to support any claims that Colon cannot perform his duties because the PTC will not be issuing Colon a new license.

"Conduct unbecoming a public employee" includes conduct that "adversely affects the morale or efficiency of a governmental unit or that has a tendency to destroy public respect in the delivery of governmental services." In re Emmons, 63 N.J. Super. 136, 140 (App. Div. 1960). It is sufficient that the complained-of conduct and its attending circumstances "be such as to offend publicly accepted standards of decency." Ibid. Such misconduct need not necessarily "be predicated upon the violation of any particular rule

or regulation but may be based merely upon the violation of the implicit standard of good behavior which devolves upon one who stands in the public eye as an upholder of that which is morally and legally correct.” Hartmann v. Police Dep’t of Ridgewood, 258 N.J. Super. 32, 40 (App. Div. 1992) (quoting Asbury Park v. Dep’t of Civil Serv., 17 N.J. 419, 429 (1955)).

Here, there is no dispute that there was a verbal argument between Colon and Quinones that escalated into a physical argument. There is also no dispute that Colon put his hands on Quinones’s arms. There is also no dispute that Colon placed his hands around Quinones’s neck. There is also no dispute that Colon pinched and squeezed Quinones’s neck during their altercation. Colon claims he was defending himself from her. A trained officer, who was admittedly under the influence of alcohol at the time, reacted with such physical force as to pinch his girlfriend’s neck, causing bruising. There is no dispute that the photographs show that Quinones had red finger marks on her arms and neck visible to the naked eye from the altercation, and there is also no dispute that the bruising was initially caused by Colon’s hands. Quinones stated that she made them worse; she has never stated that Colon did not place his hands around her neck. I **CONCLUDE** that such physical force against Colon’s then-girlfriend is sufficient to sustain a charge of a violation of N.J.A.C. 4A:2-2.3(a)(6): Conduct unbecoming a public employee.

“Other sufficient cause” stems from a charge of lying, conduct subversive of good order and discipline of the department and a failure to comply with Passaic County Rules: Rule 2:1 (Code of Ethics); 2:2.1 (Mission Statement and Core Values); 3:1.3 (Obedience to Law and Rules); 3:4.3 (Reports); 3:7.11 (All Other Conduct); 3:13.5 (Truthfulness). Used as a catch-all provision in the Code, discipline does not have to be warranted because of a violation of any or all the rules of the department. It can be based upon the “standard of good behavior.” Hartmann, 258 N.J. Super. at 39–40.

Passaic County has rules and regulations established not just for the police officers but for the entire department. One of those rules requires Colon to report his arrest and any allegation of domestic violence. The charges are to be reported immediately or within at least four hours of the charges. There is no dispute that Colon was arrested and

charged. His service weapon was taken by the arresting officers. Colon had an affirmative duty to report the arrest and seizure of his service weapon to Passaic County. There is no dispute that Colon's first report of the incident was at least two weeks after the incident.

Colon prepared two reports for the June 28, 2021, incident. The first report was on July 15, 2021. In this report, Colon admits to grabbing Quinones by the arms. His September 6, 2023, statement only admits that the verbal argument became physical. The two reports contain different information. Even though the reports are not identical, they do not falsify any information. The reports are clearly not very forthcoming about the incident and its aftermath; however, they are not false. However, given the totality of the circumstances, Colon failed to report the incident and the removal of his service weapon to Passaic County; he was not forthcoming about the incident and fell far short of what should be expected of a CPO. Therefore, as to these inclusive charges, I **CONCLUDE** that Passaic County has met its burden to support this all-inclusive charge of N.J.A.C. 4A:2-2.3(a)(12): Other sufficient cause.

Penalty

There is no constitutional or statutory right to a government job. State-Operated Sch. Dist. v. Gaines, 309 N.J. Super. 327, 334 (App. Div. 1998). Civil Service employees' rights and duties are governed by the Civil Service Act, which provides that a public employee may be subject to major discipline for various employment-related offenses. N.J.A.C. 4A:2-2.3. In an appeal from a disciplinary action or ruling by an appointing authority, the appointing authority bears the burden of proof to show, by a preponderance of the evidence, that the action taken was appropriate. N.J.A.C. 4A:2-1.4(a).

Termination is a major disciplinary action, and respondent bears the burden of proof. N.J.A.C. 4A:2-1.4(a). The burden of proof is by a preponderance of the evidence, Atkinson v. Parsekian, 37 N.J. at 149, and the hearing is de novo, Henry v. Rahway State Prison, 81 N.J. at 579. On such appeals, the Civil Service Commission may increase or decrease the penalty, N.J.S.A. 11A:2-19, and the concept of progressive discipline guides that determination. In re Carter, 191 N.J. 474, 483–86 (2007). In this case, I found that

Passaic County has proven by a preponderance of the evidence that Colon should be terminated. Thus, an employee's prior disciplinary record is inherently relevant to determining an appropriate penalty for a subsequent offense, In re Carter, 191 N.J. at 483, and the question upon appellate review is whether such punishment is "so disproportionate to the offense, in the light of all the circumstances, as to be shocking to one's sense of fairness." Id. at 484 (quoting In re Polk, 90 N.J. at 578 (internal quotes omitted)). Indeed, progressive discipline may only be bypassed when the misconduct is severe, when it renders the employee unsuitable for continuation in the position, or when the application of progressive discipline would be contrary to the public interest. In re Herrmann, 192 N.J. 19, 33 (2007).

New Jersey has long recognized that a police officer is a special kind of public employee who represents law and order and must represent an image of integrity and dependability. Twp. of Moorestown v. Armstrong, 89 N.J. Super. 560, 566 (App. Div. 1965). Police officers are held to a high standard of responsibility and conduct. Ibid. They voluntarily agree to being held to this higher standard of conduct when they enter public service. In re Phillips, 117 N.J. 567, 577 (1990). Courts have affirmed terminations of public servants for serious infractions or if they involve the safety of the public. Klusaritz v. Cape May Cnty., 387 N.J. Super. 305 (App. Div. 2006) (affirming dismissal of incompetent CPA despite no disciplinary record); In re Hall, 335 N.J. Super. 45 (App. Div. 2000) (sustaining dismissal for attempted theft); Cosme v. Borough of E. Newark Twp. Comm., 304 N.J. Super. 191 (App. Div. 1997) (affirming dismissal of police officer who took unauthorized paid vacation); Bowden v. Bayside State Prison, 268 N.J. Super. 301 (App. Div. 1993) (sustaining removal of prison guard who gambled with inmates for cigarettes); City of Newark v. Massey, 93 N.J. Super. 317 (App. Div. 1967) (affirming dismissal of police officer based on his multiple instances of insubordination and careless handling of weapon).

Colon is not an ordinary citizen. He volunteered to be trained as a corrections officer and serve the public. He agreed to the rules and regulations of Passaic County. His conduct was egregious enough to warrant his removal. While under the influence of alcohol, he had a fight with his then-girlfriend, who was also the mother of his child. All three resided at the same residence. The argument escalated to a physical altercation

where he not only placed his hands on her arms but also around her neck in a pinching manner. He placed his arms on her person with sufficient force to leave red markings. After he placed his hands on her, Quinones felt unsafe, locked herself in the bathroom and called the police. Colon cannot therefore continue to serve as a CPO if even the mother of his child felt unsafe in his presence. Colon further failed to report the incident to Passaic County until two weeks after the charges. Not only did he fail to report the incident, but he was also not forthcoming about the incident itself. I therefore **CONCLUDE** that Colon must be terminated from his position as a correctional police officer because of his physical altercation with his girlfriend and his lack of candor with Passaic County.

ORDER

Based upon the foregoing, it is **ORDERED** that Colon be **TERMINATED** from his position as a corrections police officer at the Passaic County Sheriff's Office.

I hereby **FILE** my initial decision with the **CIVIL SERVICE COMMISSION** for consideration.

This recommended decision may be adopted, modified, or rejected by the **CIVIL SERVICE COMMISSION**, which by law is authorized to make a final decision in this matter. If the Civil Service Commission does not adopt, modify, or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 40A:14-204.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **DIRECTOR, DIVISION OF APPEALS AND REGULATORY AFFAIRS, UNIT H, CIVIL SERVICE COMMISSION, 44 South Clinton Avenue, PO Box 312, Trenton, New Jersey 08625-0312**, marked

"Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

January 13, 2025

DATE



PATRICE E. HOBBS, ALJ

Date Received at Agency:

January 13, 2025

Date Mailed to Parties:

January 13, 2025

PEH/lsr

APPENDIX

Witnesses

Petitioner:

Christian Colon
Jessica Quinones

Respondent:

Detective Sergeant Chinere Jenkins

Exhibits

Petitioner:

- P-1 Final Notice of Disciplinary Action, dated April 10, 2024
- P-2 Passaic County Rules and Regulations, dated June 12, 2013
- P-3 Passaic County Sheriff's Office – Special Investigations Disciplinary Report, dated October 10, 2023
- P-4 Passaic County Sheriff's Office Policies and Procedures
- P-5 Voluntary Statement of Jessica Quinones, dated June 28, 2021
- P-6 Incident Report from Christian Colon, dated July 15, 2021
- P-7 Incident Report from Christian Colon, dated September 6, 2023
- P-8 Photographs of the June 28, 2021, Incident
- P-9 Order to Dismiss, dated August 11, 2023
- P-10 Complaint Warrant, State of New Jersey v Colon, dated June 28, 2021
- P-11 Statement of Jessica Quinones, dated July 16, 2024
- P-12 Email from Passaic County Counsel, dated January 10, 2024
- P-13 Office of the Attorney General Internal Affairs Policies and Procedures

Respondent:

- R-1 Excerpts from Internal Affairs Policy & Procedures
- R-2 Report from Detective Sergeant Chinere Jenkins

- R-3 Parsippany-Troy Hills Police Department Incident Report, dated June 28, 2021
- R-4 Photographs of the June 28, 2021, incident
- R-5 Indictment for Aggravated Assault against Christian Colon
- R-6 Pretrial Intervention Order of Postponement, dated August 11, 2023
- R-7 Email from Det. Sgt. Jenkins to Colon, dated August 30, 2023
- R-8 Special Investigation Division Complaint Notification, dated August 30, 2023
- R-9 Incident Report from Christian Colon, dated September 6, 2023.
- R-10 Special Investigation Division Administrative Investigation and Weingarten Form
- R-11 Voluntary Statement of Jessica Quinones, dated June 28, 2021
- R-12 Passaic County Policies and Procedures
- R-13 Special Investigations Disciplinary Report, dated October 10, 2023
- R-14 Preliminary Notice of Disciplinary Action, dated November 16, 2023; Third Amended Preliminary Notice of Disciplinary Action, dated January 5, 2024; Final Notice of Disciplinary Action, dated April 10, 2024