



STATE OF NEW JERSEY

In the Matter of J.M.,
 Sheriff's Officer (C0219D),
 Gloucester County

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

CSC Docket No. 2024-764

Medical Review Panel Appeal

ISSUED: April 9, 2025 (DASV)

J.M., represented by Stuart J. Alterman, Esq., appeals his rejection as a Sheriff's Officer candidate by Gloucester County and its request to remove his name from the eligible list for Sheriff's Officer (C0219D) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was referred for independent evaluation by the Civil Service Commission (Commission) in a decision rendered on September 25, 2024. In that regard, the appeal was initially brought before the Medical Review Panel (Panel), which was unable to make a determination as to the appellant's psychological suitability for a Sheriff's Officer position, since notably the appointing authority did not present the appellant's raw test data, notwithstanding staff's attempts to obtain it. However, the Commission indicated the Panel's concern over the appellant's alleged "overly defensive" approach and his behavioral history. Therefore, the Commission agreed with the Panel's recommendation for the appellant to undergo an independent psychological evaluation, which would include any necessary tests and an in-depth assessment of the appellant's suitability for appointment as a Sheriff's Officer. *See In the Matter of J.M.* (CSC, decided September 25, 2024). Thereafter, the appellant was evaluated by Dr. Robert Kanen, the Commission's independent evaluator, who issued a Confidential Psychological Evaluation on October 31, 2014, which was forwarded to the parties. No exceptions or cross exceptions were filed by the parties.

The Confidential Psychological Evaluation by Dr. Kanen discusses the evaluation procedure and indicates that a review was conducted of the appellant's appeal before the Panel. It is noted that the record before the Panel was forwarded to Dr. Kanen. Dr. Kanen also administered the following: Clinical Interview, Shipley Institute of Living Scale, Public Safety Application Form, Behavioral History Questionnaire, and the Inwald Personality Inventory-2. Dr. Kanen reviewed the appellant's background and reported that the appellant is functioning in the average range of cognitive ability. In addition, Dr. Kanen characterized the appellant as "honest and open" in his responses. However, the appellant was elevated on the substance use scale, describing himself as a frequent alcohol user, taking other substances in his life, and once giving a small quantity of drugs to a friend. Dr. Kanen found that the appellant was arrested in 2018 for simple assault after an argument with his girlfriend. The charge was expunged. In that regard, the appellant reported to Dr. Kanen that he was drinking "a little bit," and his girlfriend had been drinking heavily. The appellant was also elevated on the anxiety subscale and on the risk-taking scale, which indicated that the appellant may have some difficulty anticipating potential negative consequences or engage in impulsive behavior. Furthermore, the appellant scored in the not likely to be recommended category for employment in a public safety/security position based on the estimated psychologists' recommendation. Specifically, the results of the psychological testing revealed that the appellant was not likely to meet expectations in his ability to control conflict or on writing clear, complete, and accurate reports. Moreover, Dr. Kanen indicated that, on the Behavioral History Questionnaire, the appellant endorsed items suggesting poor judgment and concerns with regard to his ability to maintain security standards. Therefore, Dr. Kanen determined that based on the appellant's interview, his background information, and the results of psychological testing, the appellant was considered psychologically unsuitable to perform the duties of a Sheriff's Officer.

CONCLUSION

The Job Specification for the title, Sheriff's Officer, is the official job description for such county positions within the Civil Service system. According to the definition section, incumbents perform one or more functions in the following areas: maintaining order and security in a courtroom, serving court processes, criminal identification, ballistics and investigation, and the apprehension of violators of the law. A Sheriff's Officer may be assigned to perform other law enforcement or public safety related duties outside the parameters of a courtroom environment. Examples of work include the field and office work necessary to serve and execute warrants, writs, court orders, summonses, subpoenas, and other documents directed to the Sheriff; making arrangements for the sequestering of juries; guarding and transporting prisoners; testifying in court; collecting monies to satisfy legal debts as ordered by the court; taking fingerprints; analyzing, indexing and classifying fingerprints; examining bullets and fragments; testing fired weapons in evidence and comparing test bullets with those on the crime scene; conducting criminal and other

special investigations; locating and apprehending violators of the law; conducting classes related to departmental functions; operating a variety of communication equipment; providing security at public functions and county facilities; and conducting search and rescue operations.

The Commission has reviewed the Job Specification for this title and the duties and abilities encompassed therein and finds that the psychological traits which were identified and supported by test procedures and the behavioral record relate adversely to the appellant's ability to effectively perform the duties of the title. The Commission emphasizes that, in addition to his own evaluation and testing, Dr. Kanen conducted an independent review of the Panel's Report and Recommendation and the recommendations and conclusions drawn by the various evaluators prior to rendering his own conclusions and recommendations, which are based firmly on his expertise in the field of psychology and his experience in evaluating the psychological suitability of hundreds of applicants for employment in law enforcement and public safety positions.

Therefore, having considered the record and the report and recommendation of the independent evaluator and having made an independent evaluation of the same, the Commission accepts and adopts the findings and conclusions as contained in the Confidential Psychological Evaluation of the independent evaluator. Accordingly, the appellant's appeal is denied.

ORDER

The Commission finds that the appointing authority has met its burden of proof that J.M. is psychologically unfit to perform effectively the duties of a Sheriff's Officer and, therefore, the Commission orders that his name be removed from the subject eligible list.

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 9TH DAY OF APRIL, 2025



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