



STATE OF NEW JERSEY

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

In the Matter of Anthony Chodan,
Police Captain (PM4697D)
Elizabeth

Examination Appeal

CSC Docket No. 2024-253

ISSUED: July 2, 2025 (TMG)

Anthony Chodan appeals his oral score on the promotional examination for Police Captain (PM4697D) Elizabeth. It is noted that the appellant passed the examination with a final average of 84.930 and ranks seventh on the resultant eligible list.

The examination was developed by Subject Matter Experts (SMEs), individuals who are proficient in the field of policing and have or are serving as incumbents in the title under test. The oral portion of the examination consisted of a scenario involving an automobile that crashed into a nursing home. Candidates were asked three questions and had 15 minutes to present their answers. Candidates were scored on both technical knowledge and oral communication. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

Candidates were rated on a five-point scale, with 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. For both technical knowledge and oral communication, the requirements for each score were defined. The appellant received a score 4 on technical knowledge portion and a score of 5 on the oral communication portion.

Regarding his score on the technical knowledge portion, the SME noted that the appellant failed to inform the civilian at the scene who was videoing the incident that such action was permitted so long as he did not get in the way. On appeal, the appellant contends that he properly delegated his actions regarding the civilian in question two by “immediately telling Officer Tanner’s immediate supervisor of the issue and delegating it to them.” He also contends that he provided many other answers to the three questions and that his score for the technical knowledge portion of the examination should be a 5.

In response, the candidate’s recorded test performance, the scoring criteria and assessor notes were reviewed. Initially, the appellant claims that he “delegated” the issue in question two to other staff. Question two asked what actions the candidate should take in response to the situation both at the scene and later at the stationhouse. A review of the appellant’s presentation does demonstrate that he immediately tells the officer on scene to stop his incorrect action and explains to the officer that they cannot arrest individuals for recording police activity in public. He also states that he would ensure the officer receives training on the matter, as well as other officers who may also be operating under the wrong information. The appellant properly received credit for these actions. However, he never actually speaks to the citizen who was just threatened unlawfully with arrest, or specifically has anyone else speak to the citizen to provide an apology or clarification or takes any other action to ensure that the citizen knows it is not true that he can be arrested for his action and that he is permitted to continue his behavior of recording police activity. Even if, for argument’s sake, the citizen overheard the appellant telling the officer that he was wrong and to stop doing what he was doing, the PCA required that the citizen be spoken to directly since it is an overstep of police authority for an officer to have threatened to arrest him when he was not doing anything illegal. Moreover, while the appellant believes he “delegated” the responsibility to others, he did not specifically direct that the civilian be so informed.

The appellant also contends that he offered a number of actions for which he should receive credit. Most of the statements he listed on appeal were already awarded credited by the assessor, but the appellant’s claim that he assigned detectives to make death notifications to the next of kin of the victims was not found in his test response. The appellant also did not identify sending thank you notes to responding departments and agencies. Additionally, a thorough review of the appellant’s test responses and assessor scoring sheet did identify that the appellant erroneously received credit for the PCA of canvassing the area for surveillance tapes and viewing them. Nevertheless, the appellant also stated, but did not receive credit for, the action of identifying and interviewing witnesses. While these changes will be noted, they essentially cancel one another out and do not result in any change to the appellant’s oral score.

CONCLUSION

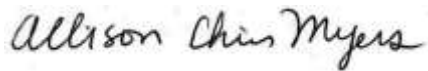
A thorough review of the appellant's submissions and the test materials indicates that, except as noted above, the appellant's oral examination was correctly scored.

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 2ND DAY OF JULY, 2025



Allison Chris Myers
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: Anthony Chodan
Division of Administrative and Employee Services
Division of Test Development, Analytics and Administration
Records Center