



**STATE OF NEW JERSEY**

In the Matter of C.B.,  
Police Officer (Regular),  
Plainfield

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

CSC Docket No. 2025-1000

Medical Review Panel Appeal

**ISSUED: August 13, 2025 (DASV)**

C.B., represented by Peter Paris, Esq., appeals his rejection as a Police Officer candidate by Plainfield and its request to remove his name from the eligible list for Police Officer (Regular) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel (Panel) on April 25, 2025, which rendered its Report and Recommendation on April 25, 2025. No exceptions were filed by the parties.

The report by the Panel discusses all submitted evaluations and the information obtained from the meeting. The appointing authority's evaluator, Dr. Jennifer Buhler, characterized the appellant "as someone who demonstrated little insight." In that regard, Dr. Buhler stated that questions to the appellant were repeated or rephrased and follow-up questions were needed as the appellant provided "vague and/or evasive responses." Dr. Buhler also noted that there were multiple discrepancies between the information that the appellant provided in his current materials and his verbal responses during her interview with him. The appellant was "unable and/or unwilling to clarify these discrepancies." Dr. Buhler indicated that these "observations reflect concerns about social competence, conscientiousness, and integrity." Moreover, Dr. Buhler reported that the appellant minimized areas of concern in his behavioral history, which reflected on his maturity. Regarding the appellant's prior employment, Dr. Buhler listed that the appellant had a "forced resignation" from his position with the Bound Brook Police Department in April 2024.

Initially, the appellant stated that Bound Brook Police Department wanted to appoint someone else and he was advised that he “wasn’t a fit” in the department, but then he reported to Dr. Buhler that he was subject to “Guardian Tracking” two weeks prior for his response to a call that the police department did not agree with. Prior to this position, the appellant served as a Police Officer with Plainfield. The appellant reported that, during his service with the Plainfield Police Department, he was the subject of three internal affairs investigations, which included losing his badge in 2020, sleeping on duty in 2020 or 2021, and utilizing excessive force and failing to turn on his body worn camera in 2022 for which he received a verbal reprimand, a four-hour suspension, and a 32-hour suspension, respectively. It is noted that appellant stated that he “successfully grieved” the four-hour suspension, and the charges relating to the 32-hour suspension were not sustained. Regarding the latter, Dr. Buhler indicated that the appellant admitted to punching a citizen in the face during an arrest and the citizen later sued. The appellant also had an off-duty incident where he “grabbed” a tow truck driver who was towing his car in 2022. He indicated that he received a summons for simple assault, went to court, and “everything got dismissed.” Dr. Buhler also discussed another internal affairs investigation in 2024, which may have been the tow truck incident. However, the complaint was in reference to an incident occurring in 2023, where the appellant allegedly assaulted an individual. This matter was dismissed. It is noted that the background investigation indicated that “the victim refused to cooperate with the court” and that, during the investigation, the department received an expungement order regarding the simple assault complaint filed against the appellant. It is also noted that agency records reveal that the appellant received a three-day suspension, commencing April 28, 2023, during his employment with Plainfield.

Moreover, Dr. Buhler set forth concerns regarding the appellant’s substance “misuse.” The appellant reported that he was smoking marijuana daily for the past two years for “relaxation” and to help him sleep.<sup>1</sup> However, Dr. Buhler noted that the appellant denied any difficulties in falling or staying asleep. The appellant also indicated that he used marijuana as a means of dealing with stress, which Dr. Buhler opined was “a maladaptive means of stress tolerance.” Lastly, Dr. Buhler submitted that the test data supported her conclusions as the appellant scored low in social adjustment and had produced results which demonstrated “a need for acceptance” which “can result in marked dependency.” She also noted that the appellant’s scores suggest that he exhibits “more of the following constructs than the typical applicant to a similar public safety position,” which include reports of “frequent occurrence of various physical symptoms (such as headaches, pain, or gastrointestinal problems) and vague complaints of ill health and fatigue. The physical symptoms are often accompanied by some depression and anxiety.” Consequently, Dr. Buhler did not recommend the appellant for appointment as a Police Officer.

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<sup>1</sup> The appellant denies that he told the evaluator that he smokes marijuana every night or that he needed it to sleep. Rather, he stated that it made him sleepy.

The Panel's report also discusses the findings of the appellant's psychological evaluator, Dr. Nicole Rafanello, who found the appellant "free from a profile of serious or definite psychological impairment" that would hinder his performance as a Police Officer. Dr. Rafanello noted that the appellant had previously been recommended on three occasions to be suitable for hire as a Police Officer. Additionally, the interview with his supervisors at the Plainfield Police Department revealed that the appellant was a "proactive officer who would be welcomed back to the department." Dr. Rafanello indicated that the appellant's assessment measures reflected moderate to low risk for problems related to the functional capacities of the job. Therefore, Dr. Rafanello concluded that "with a reasonable degree of psychological certainty," the appellant is recommended for the position of Police Officer. Nonetheless, Dr. Rafanello noted "a few areas of possible or partial risk related to functional capacities." She stated that the areas "to monitor during training or probationary periods include marijuana use, maturity, and a sense of entitlement."

At the Panel meeting, the appellant was questioned about his marijuana use. He reported to Dr. Buhler that the last time he used marijuana was "two days ago," which would be sometime in September 2024. However, he advised Dr. Rafanello that his last marijuana use was in April 2024, which was the date he reported to the Panel. The Panel was also concerned that two incidents during the appellant's tenure with the Plainfield Police Department could have been related to his use of marijuana. In other words, the appellant's use of marijuana may have contributed to losing his badge and wallet and falling asleep on duty. The Panel emphasized that there was inconsistency between the reports and his presentation before it. Therefore, the Panel recommended that the appellant undergo an independent evaluation, which should include an assessment of his substance use to determine whether there are any maladaptive characteristics that deem him psychologically unsuitable to be re-appointed as a Police Officer.

## CONCLUSION

The Job Specification for the title of Police Officer is the official job description for such municipal positions within the Civil Service system. The specification lists examples of work and the knowledge, skills and abilities necessary to perform the job. Examples include the ability to find practical ways of dealing with a problem, the ability to effectively use services and equipment, the ability to follow rules, the ability to put up with and handle abuse from a person or group, the ability to take the lead or take charge, knowledge of traffic laws and ordinances, and a willingness to take proper action in preventing potential accidents from occurring. Police Officers are responsible for their lives, the lives of other officers and the public. In addition, they are entrusted with lethal weapons and are in daily contact with the public. They use and maintain expensive equipment and vehicle(s) and must be able to drive safely as they often transport suspects, witnesses and other officers. A Police Officer performs searches of suspects and crime scenes and is responsible for recording all details

associated with such searches. A Police Officer must be capable of responding effectively to a suicidal or homicidal situation or an abusive crowd. The job also involves the performance of routine tasks such as logging calls, recording information, labeling evidence, maintaining surveillance, patrolling assigned areas, performing inventories, maintaining uniforms and cleaning weapons.

The Civil Service Commission (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. Therefore, after its review of the Panel's Report and Recommendation and the psychological evaluations presented by the parties, the Commission does not find it necessary to refer the appellant for independent evaluation. In this case, the Panel was unable to make a determination and recommended that an independent evaluation of the appellant be conducted with an assessment of the appellant's substance use, *i.e.*, marijuana, to determine whether he has any maladaptive characteristic that deems him psychologically unsuited for a Police Officer position. However, the appellant does not dispute Dr. Buhler's recitation of his report that he uses marijuana as a means of dealing with stress, which Dr. Buhler opined was "a maladaptive means of stress tolerance." Thus, an assessment has been made in that regard, and as such, subjecting the appellant to another evaluation is redundant. Further, the appellant states that he last used marijuana in April 2024. If that is the case, an evaluation of his substance use is no longer necessary. Be that as it may, he was using marijuana during the time of his employment as a Police Officer for that supposed reason. It is emphasized that Dr. Rafanello, the appellant's own evaluator, also found the appellant's marijuana use to be of concern.

Moreover, the appellant's discrepancies as reported by Dr. Buhler as well as the Panel bear negatively on his integrity. To reiterate, Dr. Buhler noted multiple discrepancies between the information that the appellant provided in his current materials and his verbal responses during her interview with him. Dr. Buhler indicated that these "observations reflect concerns about social competence, conscientiousness, and integrity." She also reported that the appellant minimized areas of concern in his behavioral history, which reflected on his maturity. Similarly, Dr. Rafanello confirmed areas of concern regarding the appellant's marijuana use (as noted above), maturity, and sense of entitlement. Dr. Rafenello recommended that these areas be monitored during the appellant's training and probationary periods. However, the appellant would not be required to undergo a probationary period. It is noted that the appellant was certified from a regular reemployment list, and as such, he was permanent in his prior position as a Police Officer with Plainfield and would not need to undergo a working test period, *i.e.*, probationary period. See *N.J.A.C. 4A:4-5.1(b)1* (All regular appointments to a title in the career service shall be subject to a working test period, except appointments from special, police, sheriff's

officer, fire, and regular reemployment lists). Specifically, agency records indicate that he was appointed as a Police Officer by Plainfield, effective December 4, 2019, passed the working test period, became permanent, and resigned in good standing on May 22, 2023.<sup>2</sup> Therefore, Dr. Rafanello's recommendation to monitor areas of concern during the appellant's probationary period is not feasible as there is no working test period for individuals appointed from a regular reemployment list. Additionally, as noted, monitoring the appellant during training may not be comprehensive as he may not need to attend a full training course. Nonetheless, Dr. Rafanello expressed these concerns which were similar to the findings of Dr. Buhler.

Furthermore, the Commission is troubled with the appellant's prior employment with the Plainfield Police Department, as he was subject to four internal affairs investigations in a short period of time, which span from losing his badge in 2020, sleeping on duty in 2020 or 2021, and utilizing excessive force in 2022 for which he received a verbal reprimand, a four-hour suspension, and a 32-hour suspension, respectively, although he maintains that he successfully appealed both his suspensions. However, Dr. Buhler indicated that the appellant admitted to punching a citizen in the face during an arrest and the citizen later sued. As to the fourth internal affairs investigation, this was conducted in 2024 and referred to an incident occurring in 2023, where the appellant allegedly assaulted an individual. While the matter was dismissed, it appears that it may have been due to the alleged victim refusing to cooperate with the court. The subject of this investigation may have been the off-duty incident where the appellant "grabbed" a tow truck driver who was towing his car in 2022. The appellant indicated that he received a summons for simple assault, went to court, and "everything got dismissed." However, it is noted that agency records reveal that the appellant received a three-day suspension, commencing April 28, 2023, during his employment with Plainfield. All of these incidents, notwithstanding a legal dismissal or expungement, reflect poorly on the appellant's judgment, integrity, and self-control, which are clearly characteristics needed for an individual seeking appointment as a Police Officer. As set forth in the Job Specification, a Police Officer must have the ability to find practical ways of dealing with a problem, the ability to effectively use services and equipment, the ability to follow rules, the ability to put up with and handle abuse from a person or group, the ability to take the lead or take charge, knowledge of traffic laws and

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<sup>2</sup> It is noted that if the appellant were appointed now, it does not appear that he would need to take a full training course as he may be able to request an exemption or waiver. As set forth on its website, the Police Training Commission (PTC) states that "an exemption, or waiver of training, may be requested for an individual who has previously completed the New Jersey PTC Basic Course for Police Officers, has terminated employment with a law enforcement agency, and (1) is appointed to a similar law enforcement position in an agency different from the original agency, or (2) is reemployed by the original agency in a position similar to the one previously held." Further an "individual who previously completed the Basic Course for Police Officers, and had a break in police service of three years or less, is required only to complete agency training, as detailed in the Agency Training Responsibility Manual, and to requalify with his or her service weapon in accordance with applicable Attorney General guidelines." *See also N.J.A.C. 13:1-8.4.*

ordinances, and a willingness to take proper action in preventing potential accidents from occurring.

Additionally, the appellant's "forced resignation" from Bound Brook Police Department does not reflect well in his employment history. Although Plainfield extended a conditional offer of employment to the appellant, conditioned upon his passing a psychological examination, the Commission notes that many candidates have been removed from eligible lists under circumstances where the candidate, in his or her prior employment, resigned while disciplinary charges were pending or resigned in good standing in lieu of discipline and had a prior disciplinary history. For example, in *Strasser v. Camden County* (MSB, decided May 28, 1992), the removal of an eligible from an open competitive list based on the eligible's employment history which showed that he had resigned while disciplinary charges imposing a removal were pending was upheld. In essence, these candidates are considered to have unsatisfactory employment records. In this case, it appears that the appellant resigned due to not being a good "fit" after being placed on "Guardian Tracking." The appellant must be held to a higher standard as he once again seeks to be a Police Officer, a position he held when he undoubtedly exhibited poor judgment on several occasions. Therefore, under these circumstances the Commission cannot ratify the appellant's psychological suitability for re-appointment as a Police Officer.

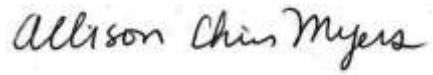
Accordingly, having considered the record, including the Job Specification for Police Officer and the duties and abilities encompassed therein, and the Panel's Report and Recommendation issued thereon, and having made an independent evaluation of the record, the Commission does not adopt the Panel's Report and Recommendation. Rather, for the reasons set forth above, the Commission denies the appellant's appeal.

### **ORDER**

The Commission finds that the appointing authority has met its burden of proof that C.B. is psychologically unfit to perform effectively the duties of a Police 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 13<sup>TH</sup> DAY OF AUGUST, 2025



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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: C.B.  
Peter Paris, Esq.  
Abby Levenson  
Kathryn Hatfield, Esq.  
Division of Human Resource Information Services  
Records Center