

"[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 record to demonstrate that the ALJ's credibility determinations, or her findings and conclusions based on those determinations, were arbitrary, capricious or unreasonable. Accordingly, the Commission finds nothing in the record to question those determinations or the findings and conclusions made therefrom.

The appellant also asserts that removal is not a proportional penalty given the appellant's benign disciplinary history. The Commission is unconvinced. In addition to considering the seriousness of the underlying incident in determining the proper penalty, the Commission 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). Moreover, the Commission emphasizes that a Police Officer, as 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). Moreover, even when a Police Officer does not possess a prior disciplinary record after many unblemished years of employment, the seriousness of offenses such as the ones in this matter may, nevertheless, warrant the penalty of removal.

In recommending that the charges be sustained and that the removal be upheld, the ALJ stated the following:

The two most recent incidents of misconduct, however, are egregious. Revolus placed two officers at risk on two separate occasions and

demonstrated that he is no longer suitable for his position because he can no longer be trusted. Indeed, it would be contrary to the public interest for Revolus to continue in his position. Therefore, I **CONCLUDE** that Revolus must be terminated from his position as a police officer with the Atlantic City Police Department.

The Commission wholeheartedly agrees with the above assessment and finds that removal from employment is neither disproportionate to the offenses nor shocking to the conscience.

ORDER

The Civil Service Commission finds that the action of the appointing authority in removing the appellant was justified. The Commission therefore affirms that action and dismisses the appeal of Jonathan Revolus.

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 10TH DAY OF JUNE, 2026



Mary Cruz
Acting Chairperson
Civil Service Commission

Inquiries
and
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Shannon L. Dalton
Director
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Trenton, New Jersey 08625-0312

Attachment



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. CSR 19816-25

AGENCY DKT. NO. N/A

**IN THE MATTER OF JONATHAN REVOLUS,
CITY OF ATLANTIC CITY,
DEPARTMENT OF PUBLIC SAFETY.**

Brandon W. Sweeney, Esq., for appellant, Jonathan Revolus (Rosenberg, Perry & Associates, LLC, attorneys)

Steven S. Glickman, Esq., for respondent, Atlantic City Department of Public Safety (Ruderman & Roth, LLC, attorneys)

Record Closed: April 9, 2026

Decided: April 30, 2026

BEFORE **SUSAN MCCABE, ALJ:**

STATEMENT OF THE CASE

On September 1, 2023, appellant, Atlantic City Police Officer Jonathan Revolus (Revolus), abandoned his partner and four prisoners during a transport assignment, and on April 29, 2024, he failed to immediately respond to a domestic violence call. Must Revolus be removed from his position as a police officer? Yes. A police officer's failure to perform essential duties or gross neglect of duty warrants removal. N.J.A.C. 4A:2-2.3(a)(1), (a)(7).

PROCEDURAL HISTORY

On June 10, 2025, respondent, the Atlantic City Department of Public Safety (Atlantic City), served Revolus with a Preliminary Notice of Disciplinary Action (PNDA). In the notice, Atlantic City charges Revolus with Incompetency, Inefficiency, or Failure to Perform Duties in violation of N.J.A.C. 4A:2-2.3(a)(1); Conduct Unbecoming a Public Employee in violation of N.J.A.C. 4A:2-2.3(a)(6); and Neglect of Duty in violation of N.J.A.C. 4A:2-2.3(a)(7). Atlantic City also charges Revolus with Other Sufficient Cause in violation of N.J.A.C. 4A:2-2.3(a)(12) for violating the following rules and procedures:

- Disciplinary Action under City of Atlantic City Personnel Policies and Procedures Manual, Section III, Changes in Employment and Separation from Service
- Neglect of Duty under General Order, Volume 1, Chapter 2, Section 3:1.7
- Standards of Conduct under General Order, Volume 1, Chapter 2, Section 3:1.1
- Truthfulness under General Order, Volume 1, Chapter 2, Section 3:5.7
- Insubordination under General Order, Volume 1, Chapter 2, Section 3:1.10
- Relief under General Order, Volume 1, Chapter 2, Section 3:2.8
- Body Worn Camera under General Order, Volume 5, Chapter 14, Section VIII

Atlantic City specifies that Revolus and another police officer were tasked with transferring four prisoners from the Atlantic City Police Department to the Atlantic County Justice Facility and that Revolus abandoned his assignment and his partner. Atlantic City further specifies that Revolus failed to activate his department-issued body-worn camera. As a result, Atlantic City terminated him effective September 29, 2025.

On July 1, 2025, Atlantic City served Revolus with another PNDA. In that notice, Atlantic City charges Revolus with Incompetency, Inefficiency, or Failure to Perform

Duties in violation of N.J.A.C. 4A:2-2.3(a)(1); and Other Sufficient Cause in violation of N.J.A.C. 4A:2-2.3(a)(12) for violating the following rules and procedures:

- Disciplinary Action Personnel Policies and Procedures Manual, Section III, Changes in Employment and Separation from Service
- Performance of Duty under General Order, Volume 1, Chapter 2, Section 3:1.8
- Body Worn Camera under General Order, Volume 5, Chapter 14, Section VIII.

Atlantic City specifies that Revolus moved his break location without reporting it to the communications department, resulting in a delayed arrival at a domestic violence call. Atlantic City further specifies that Revolus failed to activate his body camera immediately upon receiving the call for service. As a result, Atlantic City imposed a six-working-day suspension or a forty-eight-hour equivalent.

On September 29, 2025, Atlantic City served Revolus with a Final Notice of Disciplinary Action (FNDA), which sustained all the charges and specifications in both PNDAs.

On October 7, 2025, Revolus filed an appeal with the Civil Service Commission (CSC) and the Office of Administrative Law (OAL). On October 15, 2025, the appeal was received but contained an incorrect appeal form. On October 22, 2025, the CSC received the proper appeal form, and on November 13, 2025, the CSC deemed the appeal to be perfected, allowing the case to be heard by the OAL.

On January 13, 2026, I held a prehearing conference and issued a prehearing order.

On February 24, 2026, I held a status conference during which time the parties stated that the only issues to be decided were whether Revolus violated the charge of Truthfulness under General Order, Volume 1, Chapter 2, Section 3:5.7, contained in the

FNDA, and whether the penalty of termination for Revolus' actions and conduct on August 31, 2023, and April 29, 2024 was appropriate.

On March 24, 2026, I held the hearing.

On April 9, 2026, the parties submitted their written summations, and I closed the record.

FINDINGS OF FACT

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties submitted and my assessment of their sufficiency, I **FIND** the following as **FACT**:

On May 13, 2022, Revolus was hired by the Atlantic City Police Department as a police officer. Before he became a police officer, he had worked for the department as a Class II Officer. His disciplinary record contains instances of only minor discipline.

The Domestic Violence Call

On April 29, 2024, Revolus and another police officer, Joseph Kelly, were called to service for a domestic violence incident. At the time of the call, Revolus was taking a meal break at the Graham Public Safety Building. Revolus, however, wrote in his logbook that he was at "King and 30." He also told the communications department that he was at "King and 30."

During his internal affairs interview on May 5, 2025, Revolus told investigators that he was confused when he received the call as to whether he was being relieved from his meal break or being dispatched to a call. The inconsistencies in his report and during his interview call both his accuracy and veracity into question.

Kelly arrived at the residence approximately three to six minutes after the call from communications. Revolus, on the other hand, took fifteen minutes to arrive. In fact, radio

communications placed Revolus on the scene approximately nine minutes after Kelly arrived. Revolus also failed to turn on his body worn camera until he arrived at the location.

Because Revolus did not accurately report his break location and arrived later than both dispatch and Kelly had expected, Revolus left Kelly unsupported at a domestic violence incident for nine minutes, exposing him to danger during that time.

The Prisoner Transfer

On August 31, 2023, Revolus and another police officer, Michael Shafman, were assigned with transporting four prisoners from the Atlantic City Police Department to the Atlantic County Justice Facility.

On that date, at approximately 9:30 p.m., Revolus and Shafman transported the prisoners in a van from the police department to the justice facility. Upon their arrival at the facility, Shafman and Revolus saw additional police departments waiting to enter the facility with their respective prisoners. At that point, they knew that their prisoner transfer was going to be delayed.

While awaiting transfer, Revolus called Officer Consuelo Maldonado and asked her if she could relieve him from his duty because he wanted to leave his shift early to go to New York City. Revolus then called his supervisor, Sergeant Bryan Fleming, and asked him if he could leave his shift early to go to New York City. Fleming asked Revolus if he was going to use sick leave or vacation time. He did not authorize Revolus to leave his assignment. Not realizing that she was not authorized to relieve Revolus, Maldonado called Fleming to confirm that she was going to relieve Revolus, and Fleming instructed Madonado not to do so. Nevertheless, at approximately 1:30 a.m. on September 1, 2023, Revolus left his post, leaving Shafman alone with the four inmates who remained in his custody.

Later that day, Revolus completed two reports for Fleming. In the first report, Revolus states that at approximately 2:45 a.m., he texted Shafman for Shafman to text

him if he was needed. Shafman, however, denied receiving any such text from Revolus. In his written report dated September 1, 2023, and during his first internal affairs interview on January 17, 2024, Shafman asserts that at 2:52 a.m., Revolus texted him to ask how many prisoners had been turned over and to state that he was "on [his] way."

In his second report to Fleming, Revolus states that he returned to the Atlantic County Justice Facility but did not go inside, but during his internal affairs interview on February 29, 2024, Revolus states that he never returned to the facility. Once again, the inconsistencies in his reports and in his interview call into question both his accuracy and veracity. It is also another example of Revolus leaving a fellow officer unsupported and exposed to danger.

CONCLUSIONS OF LAW

In appeals concerning major disciplinary action, the appointing authority 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. 143, 149 (1962), and the hearing is de novo. Henry v. Rahway State Prison, 81 N.J. 571, 579 (1980). 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). 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, such as when the position involves public safety and the misconduct causes risk of harm to persons or property. In re Herrmann, 192 N.J. 19, 33 (2007).

In this case, Revolus failed to respond to a domestic violence call in a prompt manner and misled dispatch about where he was, leaving his partner exposed to potential danger. Similarly, Revolus failed to get permission to leave his position during a prison transfer and to wait for relief before abandoning his post, again leaving his partner exposed to potential danger. Revolus also lied about it to his superiors. In doing so, Revolus failed to perform his duties, engaged in conduct unbecoming of a public employee in his position, and neglected his duties. As such, I **CONCLUDE** that Revolus

failed to perform duties in violation of N.J.A.C. 4A:2-2.3(a)(1); engaged in conduct unbecoming a public employee in violation of N.J.A.C. 4A:2-2.3(a)(6); and neglected his duty in violation of N.J.A.C. 4A:2-2.3(a)(7).

Atlantic City also holds its police officers to an ethical standard, which is set forth in its General Orders. These orders require police officers to conduct their private and professional lives in a manner as to avoid bringing the department into disrepute, to give suitable attention to the performance of duty, and to remain at their assignments and on duty until properly relieved by other employees or until dismissed by a supervisor. Similarly, these orders require police officers to not knowingly lie, give misleading information, or falsify communications when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with the department. Finally, these orders require police officers to activate their body cameras immediately upon dispatch to a call and during the transportation of any prisoner to a police station or county jail under General Order, Volume 5, Chapter 14, Section VIII.

In this case, Revolus' actions violated all these orders. More specifically, Revolus failed to promptly respond to a domestic violence call in a timely matter and abandoned his fellow officer during a prisoner exchange. Moreover, Revolus demonstrated untruthfulness by stating in a formal report to his sergeant that he returned to the Atlantic County Justice Facility while later admitting during his internal affairs interview that he never returned. Therefore, I **CONCLUDE** that Revolus engaged in other sufficient cause in violation of N.J.A.C. 4A:2-2.3(a)(12) for failure to follow all the orders cited above.

Prior Discipline

Revolus' prior discipline contains only minor discipline. He received one written reprimand in 2021, a one-day suspension in 2021, one verbal reprimand in 2023, and two written reprimands in 2023. The two most recent incidents of misconduct, however, are egregious. Revolus placed two officers at risk on two separate occasions and demonstrated that he is no longer suitable for his position because he can no longer be trusted. Indeed, it would be contrary to the public interest for Revolus to continue in his

position. Therefore, I **CONCLUDE** that Revolus must be terminated from his position as a police officer with the Atlantic City Police Department.

ORDER

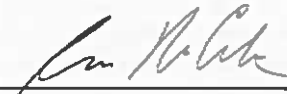
Given my findings of fact and conclusions of law, I **ORDER** that Revolus is terminated from his position of police officer with the Atlantic City Police Department.

I **FILE** this 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 case. 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. 52:14B-10.

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 the other parties.

April 30, 2026
DATE



SUSAN MCCABE, ALJ

Date Received at Agency:

April 30, 2026

Date Mailed to Parties:

April 30, 2026

SM/dc

APPENDIX

Witnesses

For appellant:

None

For respondent:

None

Exhibits

Joint:

- J-1 March 18, 2026, Joint Stipulation of Facts
- J-2 July 1, 2025, Preliminary Notice of Disciplinary Action
- J-3 May 5, 2025, Atlantic City Police Department Internal Affairs Investigation Reports
- J-4 June 10, 2025, Preliminary Notice of Disciplinary Action
- J-5 May 13, 2025, Atlantic City Police Department Internal Affairs Investigation Reports
- J-6 September 29, 2025, Final Notice of Disciplinary Action

For appellant:

None

For respondent:

None