



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of J.S., Police Officer
(S9999M), Jersey City

CSC Docket No. 2015-1212

Medical Review Panel Appeal

ISSUED: NOV 13 2017 (BS)

J.S., represented by Michael L. Prigoff, Esq. appeals his rejection as a Police Officer candidate by the Jersey City and its request to remove his name from the eligible list for Police Officer (S9999M) 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 in a decision rendered March 22, 2017, which is attached. The appellant was evaluated by Dr. Robert Kanen, who rendered the attached Psychological Evaluation and Report on May 2, 2017. No exceptions were filed by the parties.

The Psychological Evaluation and Report by Dr. Robert Kanen, the Civil Service Commission's independent evaluator, discusses the evaluation procedure and reviews the previous psychological findings relative to the appellant. In addition to reviewing the reports, letters, recommendations and test data submitted by the previous evaluators, Dr. Kanen administered the following: Clinical Interview/Mental Status Examination; Wechsler Adult Intelligence Scale, 4th edition, 9 subtests; Wide Range Achievement Test, revision 3, reading and spelling parts; and the Inwald Personality Inventory-2. Dr. Kanen characterized the appellant as showing no signs of psychopathology. However, the appellant shows evidence of cognitive ability that is significantly below that of the average law enforcement officer. His estimated full scale IQ based on the tests conducted is 75, which is borderline range and is below 95% of the general public. Dr. Kanen noted that this is consistent with the Institute for Forensic Psychology's initial findings.

Dr. Kanen indicated that the appellant's responses to personality tests were in normal ranges but he was limited and guarded, attempting to present himself in a favorable light and demonstrating limited self-insight. Dr. Kanen found that the appellant lacked the cognitive ability to function as a Police Officer. The appellant was at risk for misunderstanding situations, would have problems dealing with the public due to poor verbal skills, and difficulty appropriately understanding complex and fast moving situations that require good judgment and decision making skills, all traits which are not conducive to an individual seeking to be successful in a career in law enforcement. Dr. Kanen concluded that the appellant was psychologically unsuited to serve as a Police Officer.

CONCLUSION

The Class Specification for 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.

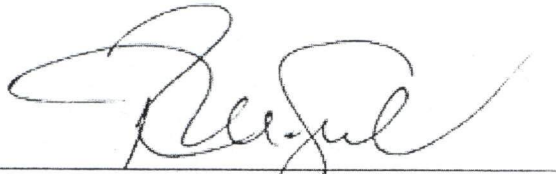
The Civil Service Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and found that the psychological traits which were identified and supported by test procedures and the behavioral record relate adversely to the appellant's ability to effectively perform the duties of the title. Having considered the record and the report and recommendation of the independent evaluator and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached report and recommendation of the independent evaluator.

ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that J.S. 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 DAY OF , 2017



Robert M. Czech, Chairperson
Civil Service Commission

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Attachment

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