



STATE OF NEW JERSEY

In the Matter of Laniya Ragland,
Correctional Police Officer (S9999U),
Department of Corrections

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

CSC Docket No. 2020-247

List Removal Appeal

ISSUED: FEBRUARY 28, 2020 (JET)

Laniya Ragland appeals the removal of her name from the Correctional Police Officer (S9999U), Department of Corrections, eligible list on the basis of an unsatisfactory driving record.

The appellant took the open competitive examination for Correctional Police Officer (S9988U),¹ achieved a passing score, and was ranked on the subsequent eligible list. The appellant’s name was certified on October 16, 2018. In disposing of the certification, the appointing authority requested the removal of the appellant’s name from the eligible list on the basis of an unsatisfactory driving record. Specifically, the appointing authority asserted that the appellant’s motor vehicle record revealed that she failed to appear in court for three matters on December 5, 2018. It is noted that the appellant’s driving record also reflects multiple infractions for parking violations, three of which occurred on December 5, 2018.

On appeal to the Civil Service Commission (Commission), the appellant asserts, among other things, that she did not omit any information with respect to her background and she submitted a complete employment application to the appointing authority.

In response, the appointing authority maintains that the appellant should be removed from the subject list as a result of her unsatisfactory motor vehicle record. In this regard, the appointing authority argues that its pre-employment processing

¹ The S9999U eligible list expired on March 30, 2019.

criteria with respect to applicant driving records required that the appellant's name be removed from the list. The appointing authority clarifies that the appellant was not removed due to any falsification issues.

Despite having the opportunity, the appellant did not present any response to the appointing authority's contentions regarding her driving record.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. See *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998); *In the Matter of Yolanda Colson, Correction Officer Recruit (S9999A), Department of Corrections*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003).

N.J.A.C. 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his or her name from an eligible list was in error.

In this matter, the appellant's ability to drive a vehicle in a safe manner is not the main issue in determining whether or not she should remain eligible to be a Correctional Police Officer. The appellant's driving record reflects multiple infractions for parking violations, three of which occurred on December 5, 2018. Further, the appellant has offered no substantive explanation for the infractions that appear on her motor vehicle record, including failure to appear in court on December 5, 2018 for three matters. Moreover, the incidents occurred less than two months after her name was certified on the eligible list. In this matter, it is clear that the appellant's driving record shows a pattern of disregard for the law and questionable judgment on the appellant's part. Such qualities are unacceptable for an individual seeking a position as a Correctional Police Officer. Given the recency of such infractions, there is sufficient cause to remove the appellant's name from the subject list.

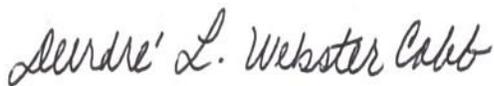
The Commission is ever mindful of the high standards that are placed upon law enforcement candidates and personnel. The public expects Correctional Officers to present a personal background that exhibits respect for the law and rules. In this regard, it is recognized that Correctional Police Officers are law enforcement employees who must help keep order in the State prisons, promote adherence to the law, and maintain the safety of the general population. Correction Officers hold highly visible and sensitive positions within the community and the standard for an applicant includes good character and an image of utmost confidence and trust. *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). Accordingly, the appointing authority has presented sufficient cause to remove the appellant's name from the eligible list for Correctional Police Officer (S9999U), Department of Corrections. However, the removal in this matter does not prevent the appellant from applying for any similar positions in the future, and, given the further passage of time, absent similar infractions, such a background will be insufficient to remove her from a future similar list.

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 26th DAY OF FEBRUARY, 2020



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher Myers
Director
Division of Appeals
& Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Laniya Ragland
Veronica Tingle
Kelly Glenn