



STATE OF NEW JERSEY

In the Matter of Corey Cooper,
County Correctional Police Officer
(S9999A), County of Essex

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

CSC Docket No. 2020-2717

List Removal Appeal

ISSUED: DECEMBER 21, 2020 (PS)

Corey Cooper, represented by Luretha M. Stribling, Esq., appeals the decision to remove his name from the County Correctional Police Officer (S9999A), County of Essex, eligible list on the basis of falsification of his application.

The appellant took the open competitive examination for County Correctional Police Officer (S9999A), which had an August 2016 closing date, achieved a passing score, and was ranked on the subsequent eligible list. In seeking his removal, the appointing authority indicated that the appellant falsified his application. Specifically, it represented that in response to Question 4 on page 11 of his application, asking if he had ever been served with a summons or a subpoena, including traffic violations in New Jersey or any other State, he answered "No". However, an inquiry into the New Jersey Automated Traffic system was conducted with positive results. Records indicate that the appellant received 102 summonses including, but not limited to, Improper Turn at Traffic Control Sign, Driving or Parking Unregistered Motor Vehicle, Speeding and Unsafe Operation of Vehicle. Furthermore, on page 27, in response to a question asking if his operator's license and/or vehicle registration has ever been suspended or revoked in New Jersey or any other State, he answered "No". However, the record indicates that he had five license suspensions. Moreover, Question 8 on page 28 asked "Have you ever been issued a parking ticket or summons? He responded "Yes" and disclosed two parking tickets for East Orange and stated they were dismissed. Records indicate that the appellant has received 22 moving violations between 2005 and 2018 and 78 parking tickets.

On appeal, the appellant states that in regard to Question 8 on page 28 which asked, "Have you ever been issued a parking ticket?" He responded "Yes" and disclosed two parking tickets in East Orange. He reiterates his position that this question was answered correctly because the response was "Yes" further stating there was no

requirement to state how many tickets he had received. In regard to the question on Page 27 asking “Has your operator license and/or vehicle registration ever been suspended or revoked in New Jersey or any other State?” His response was “none” and the appellant contends that his response was correct because it was a not a matter of falsification but of “recall” since these dates involved a span from nine to 14 years ago. Additionally, the appellant argues that he is currently employed as a driver for a luxury car company where he transports expensive vehicles. Moreover, he states that he would not have been hired if his driving record was at issue.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)6, allows the Civil Service Commission (Commission) to remove an eligible’s name from an employment list when he or she has made a false statement of any material fact or attempted any deception or fraud in any part of the selection or appointment process.

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.

The primary inquiry regarding the removal of a candidate’s name based on the falsification of his or her employment application is whether the candidate withheld information that was material to the position sought, not whether there was any intent to deceive on the part of the applicant. *See In the Matter of Nicholas D’Alessio*, Docket No. A-3901-01T3 (App. Div. September 2, 2003).

In this matter, the appointing authority had a valid reason for removing the appellant’s name from the list. Specifically, the appellant failed to disclose incidents in his background history which include innumerable violations between the years of 2005 and 2018 and 78 parking tickets. Additionally, the appellants driver’s abstract revealed he has had five license suspensions between 2006 and 2011. While the appellant may believe that he did not need to disclose this information, candidates are responsible for the accuracy of their applications. *See In the Matter of Harry Hunter* (MSB, decided December 1, 2004). Further, a lack of “recall” of incidents in a candidate’s past that are not properly disclosed cannot be excused. Moreover, even if there was no intent to deceive, the omission of these numerous moving violations, parking tickets and license suspensions must be considered material. At minimum, the appointing authority needed this information to have a complete understanding of his background in order to properly evaluate his candidacy. *See In the Matter of Dennis Feliciano, Jr.* (CSC, decided February 22, 2017). In this regard, it is recognized that a County Correctional Police Officer is a law enforcement employee who must help keep order in the prisons and promote adherence to the law. County Correctional Police

Officers, like municipal Police 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). The public expects County Correctional Police Officers to present a personal background that exhibits respect for the law and rules.

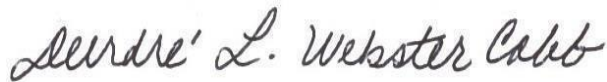
Accordingly, the appellant has not met his burden of proof in this matter and the appointing authority has shown sufficient cause for removing his name from the County Correctional Police Officer (S9999A), County of Essex, eligible list.

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 16TH DAY OF DECEMBER 2020



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