



STATE OF NEW JERSEY

In the Matter of Steven Caruso,
 Sheriff's Officer Lieutenant
 (PC4266E), Mercer County

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

CSC Docket No. 2024-2679

Examination Appeal

ISSUED: December 18, 2024

Steven Caruso appeals the promotional examination for Sheriff's Officer Lieutenant (PC4266E), Mercer County.

The subject examination was administered on May 23, 2024 and consisted of 45 multiple-choice items and an essay portion.

An independent review of the issues presented under appeal has resulted in the following findings:

Question 11 refers to an excerpt from the Willisburg County Sheriff's Department Code of Conduct provided to candidates in their test booklets. The question indicates that Officer Johansen and his wife went to a local diner for breakfast and received a 25% discount off of their meal. The question asks, based on the Willisburg County Sheriff's Department Code of Conduct, for the true statement. The keyed response is option d, "More information is needed to determine whether or not there was a violation of the Willisburg County Sheriff's Department Code of Conduct." The appellant maintains that option b, "The Willisburg County Sheriff's Department Code of Conduct was violated," is correct. The appellant contends that "based on the information provided[,] one could clearly look back at the policy and see it stated accepting discounts was a 'Prohibited action.'" It is noted that the Willisburg State Correctional Facility Code of Conduct provides, in pertinent part:

IV. ABUSE OF LAW ENFORCEMENT AUTHORITY OR POSITION

A. Prohibited actions:

1. Officers may not accept goods, services, or discounts of value not available to the general public.
2. Officers shall not use their authority or position:
 - ...
 - iii. to barter, solicit, or accept any goods or services, such as gratuities, gifts, discounts, rewards, loans, or fees, whether for themselves or others.

Given that the question does not indicate whether the discount was available to the general public or whether Officer Johansen used his authority or position to obtain the discount, more information is needed to determine whether the policy was violated. As such, the question is correct as keyed.

Question 32 indicates that Sergeant Harmon comes to you and advises you that, for the past two years, she has been investigating a bribery case involving a sheriff's officer employed by the department. Due to some recent changes in Title 2C, she is unsure as to the time in which she can bring a charge. Candidates were required to complete the following sentence, "In accordance with *N.J.S.A. 2C:1-6b*, Sergeant Harmon's prosecution for this crime of bribery (2C:27-2) **MUST** be commenced within . . ." The keyed response is option c, "5 years." The appellant argues that "the question was worded incorrectly and should have been asked how much time was remaining but clearly didn't state that. The question was worded in a way that the person reading it would believe it was asking total time. It asked 'what is the amount of time,' not the amount of time left or time remaining." It is noted that *N.J.S.A. 2C:1-6b(3)* provides, in pertinent part, that a prosecution for any offense set forth in *N.J.S.A. 2C:27-2* (Bribery in official and political matters), or any attempt or conspiracy to commit such an offense, must be commenced within seven years after the commission of the offense. The question stem clearly indicates that Sergeant Harmon has already spent two years investigating this matter, and she is unsure as to the time in which she can bring a charge. As such, pursuant to *N.J.S.A. 2C:1-6b*, she has five years remaining to commence prosecution for this crime.

CONCLUSION

A thorough review of appellant's submissions and the test materials reveals that the appellant's examination score is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

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 18TH DAY OF DECEMBER, 2024



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: Steven Caruso
Division of Test Development, Analytics and Administration
Records Center