



STATE OF NEW JERSEY

In the Matter of Jessica Gonzalez, *et al.*, County Correctional Police Sergeant, various jurisdictions

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

CSC Docket Nos. 2025-124, *et al.*

Examination Appeal

ISSUED: March 19, 2025

Jessica Gonzalez and Brianna Willerson (PC4260E), Essex County; and Dennis Gleason, Robert Hannemann and Mohammed Zanati (PC4263E), Monmouth County; appeal the promotional examination for County Correctional Police Sergeant (various jurisdictions). These appeals have been consolidated due to common issues presented by the appellants.

The subject exam was administered on June 13, 2024 and consisted of 60 multiple choice questions. Candidates were tested in one of two sessions, the morning session or the afternoon session. It is noted that candidates who were tested in the morning session received test booklet A and those who were tested in the afternoon session received test booklet B. Both booklets contained the same questions, but each booklet presented the questions in a different order.

Hannemann and Zanati present that they were only allowed 45 minutes to review and their ability to take notes on exam items was curtailed. As such, they request that any appealed item in which they selected the correct response be disregarded and that if they misidentified an item number in their appeals, their arguments be addressed. Hannemann argues that the review process should allow candidates to “document all of our questions and answers in its entirety to make a determination if the question/answer has a flaw.” Hannemann contends that if any faulty questions appear at the end of the test, “a candidate would not be able to bring these questions to the attention [*sic*] because of the constraints placed upon him by the testing [*sic*] process.”

It is noted that the time allotted for candidates to review is a percentage of the time allotted to take the examination. The review procedure is not designed to allow candidates to retake the examination, but rather to allow candidates to recognize flawed questions. In this regard, it is presumed that most of the questions are not flawed and would not require more than a cursory reading. Furthermore, the Civil Service Commission has a duty to ensure the security of the examination process and examination materials. As such, the review process is not intended to allow candidates unfettered access but rather, controlled access to examination materials in order to strike a balance between the provision of information to the candidates and the maintenance of examination security. *See Brady v. Department of Personnel*, 149 N.J. 244 (1997). With respect to misidentified items, to the extent that it is possible to identify the items in question, they are reviewed. It is noted that it is the responsibility of the appellant to accurately describe appealed items.

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

Question 1 in booklet A (question 17 in booklet B) provides that a newly admitted inmate enters your facility and is extremely irate. She alleges she was wrongly arrested and demands to use the telephone. Several officers under your supervision advise the new inmate that she will be given a phone call after she has completed the booking process and is placed in a housing unit. The inmate calms down after speaking with the officers in the intake area. While the inmate is proceeding through the intake process, a white powdery substance is discovered concealed in a small cellophane bag in her left sock during a search of her clothing. She alleges she was unaware there was a bag in her left sock and immediately begins to cry. She continues through the intake process and is immediately charged with institutional infractions and moved to the appropriate housing unit. Upon review of this incident, your supervisor states that under your supervision, he believes *N.J.A.C. 10A:31-21.5* (Electronic communication device possession, telephone use and calls) was violated. The question asks, based on the information provided and the specific language in *N.J.A.C. 10A:31-21.5*, for the true statement. The keyed response is option a, “*N.J.A.C. 10A:31-21.5* Electronic communication device possession, telephone use and calls, was violated in this scenario.” Hannemann, who selected option d, “Conditions contained in this scenario are not applicable to *N.J.A.C. 10A:31-21.5* Electronic communication device possession, telephone use and calls,” argues that “this question suggests that a new charge of introduction of possible narcotics into the facility would disrupt the phone call allotted to this inmate due to inmate having contraband on her person and would interrupt the admission process, harboring her ability to make said phone call while a new investigation occurs.” *N.J.A.C. 10A:31-21.5* (a) provides that newly admitted inmates shall be permitted to complete at least two local or collect long distance telephone calls using authorized telephones, as soon as practicable during the admission process. It is noted that the Division of Test Development, Analysis and Administration (TDAA) contacted

Subject Matter Experts (SMEs) regarding this matter who indicated that the discovery of suspected narcotics in the scenario did not prevent the intake officers from offering two local or collect long distance telephone calls during the admission process pursuant to *N.J.A.C. 10A:31-21.5*. In this regard, the SMEs noted that there was no indication in the question that offering the two calls would create a safety or security lapse or a disruption. Thus, the SMEs determined that despite the discovery of potential narcotics, the intake process would not change in a way that would prevent the inmate's access to the two local or collect long distance telephone calls, pursuant to *N.J.A.C. 10A:31-21.5*, prior to being placed in the housing unit. Accordingly, the question is correct as keyed.

Question 5 in booklet A (question 22 in booklet B) indicates that County Correctional Police Officer (CO) Lowery conducted a pat search of Inmate Isaac, a male inmate. Candidates are presented with three statements. The question asks, based on *N.J.A.C. 10A:31-8.2A* (Pat search),¹ for the pieces of information that are necessary to determine if the pat search was appropriately conducted. The keyed response is option b, II, "whether or not Inmate Isaac was fully clothed," only. Gonzalez and Hannemann maintain that option d, II and III, "Whether or not another custody staff member was present," only, is the best response. Specifically, Gonzalez argues that another officer should be present since an inmate could make a false accusation "and with not having another custody staff member present, it would be the inmate[']s word against mine." As noted above, the question specifically refers to *N.J.A.C. 10A:31-8.2A* which does not require that another custody staff member be present. It is noted that Hannemann, who misremembered the question as indicating that CO Lowery is female and the keyed response as, "It does not violate the

¹ *N.J.A.C. 10A:31-8.2A* provides:

- (a) A pat search shall be conducted while the inmate is fully clothed. A pat search includes both the touching of the inmate's body through clothing, including hair, dentures, etc., and a thorough examination into pockets, cuffs, seams, etc., and all personal property in the inmate's possession.
- (b) Pat searches of inmates may be conducted at any time in the following circumstances:
 - 1. Prior to the departure or return of the inmate to or from any area where the inmate has had access to dangerous or valuable items
 - 2. Prior to entering or departing the visiting area; or
 - 3. Under any other circumstances where conditions indicate a need for such searches, such as, but not limited to, upon departure of inmates from kitchen or dining areas.
- (c) In addition to the foregoing routine searches, a pat search may be conducted at any time when there is a reasonable suspicion that the inmate is carrying contraband. Factors that may form the basis for such search include, but are not be limited to:
 - 1. Personal observations of activities or conditions that may be interpreted in light of the custody staff member's experience and knowledge of the inmate as indicating the possession of contraband; or
 - 2. Information received from a third party who is believed to be reliable.
- (d) Pat searches may be conducted by either male or female custody staff members upon male inmates. Except in emergent circumstances, pat searches shall only be conducted by female custody staff members upon female inmates.

inmate[s] rights if he has clothes on and was done on the outside of his clothing,” argues that “the question does suggest whether the inmate was dressed at the time or was made to get dressed before the pat search was conducted. It only states the female pat searched a male inmate.” Hannemann adds that the question “does not suggest where this occurred, inside a cell, a housing unit, the parking lot, in her office, coming back from a work detail. The specifics of this question are skewed and not fully addressed, was this done with suspicion of that the inmate is carrying contraband as provided in 10A:31-8.2A.” It is noted that candidates were instructed to choose the best response of those provided.² In other words, candidates were only to consider the pieces of information provided in the three statements. Thus, the location of the pat search and any other “specifics” are not relevant for the purposes of this question. Accordingly, the question is correct as keyed.

Question 7 in booklet A (question 20 in booklet B) indicates that the custody staff supervisor in charge authorized a body cavity search of an inmate, who is lawfully confined in an adult county correctional facility. In addition, the search was authorized by a warrant. The question asks, based on *N.J.A.C.* 10A:31-8.7 (Body cavity searches of an inmate(s) lawfully confined for the commission of a crime),³ for the true statement. The keyed response is option c, The search shall be conducted “by a licensed medical professional of either sex.” Hannemann, who selected option d, “only by a trained custody staff member of the same sex,” argues that the keyed response is partially correct “and does not include the whole answer which states in iv – in the presence of only the custody staff member(s) deemed reasonably necessary for security who are of the same sex of the inmate.” Candidates were instructed to select the best response of those provided.⁴ As noted above, *N.J.A.C.* 10A:31-8.7(b)1iii provides that a body cavity search may be conducted by a licensed medical professional of either sex. Thus, option d is clearly incorrect. Accordingly, the question is correct as keyed.

Question 23 in booklet A (question 40 in booklet B) provides:

² In this regard, it is noted that statement I provides, “The sex of CO Lowry.” Thus, none of the statements presented to candidates indicated a location or other “specifics.”

³ *N.J.A.C.* 10A:31-8.7 provides, in pertinent part, that a body cavity search shall be conducted: i. Under sanitary conditions; ii. At a location where the search cannot be observed by unauthorized persons; iii. By a licensed medical professional of either sex; iv. In the presence of only the custody staff member(s) deemed reasonably necessary for security, who are of the same sex as the inmate; and v. Conducted in a professional and dignified manner, with maximum courtesy and respect for the inmate’s person. See *N.J.A.C.* 10A:31-8.7(b)1.

⁴ In this regard, it is noted that option a provides, “by a trained custody staff member of either sex,” and option b provides, “only by a licensed medical professional of the same sex.”

CO Medina works in a correctional institution and wants clarification on when a person is considered an active resistor. Consider the following:

- I. Any member of a group of four or more inmates who fail to comply with an order from a correctional officer.
- II. A detainee who fails to comply with orders related to being handcuffed inside a cell.
- III. A detainee who fails to comply with orders related to being handcuffed inside a cell.
- IV. A detainee who does not verbally respond when asked a question by a correctional officer.

Based on the New Jersey Attorney General’s Use of Force Policy, which actions should you tell CO Medina are examples of active resistance?⁵

The keyed response is option c, I, II, and III, only. Given that statements II and III are identical, TDAA indicated that this item has been double keyed to option a, I and III only, and option c, prior to the lists being issued.

Question 26 in booklet A (question 55 in booklet B) provides that Administrative Sergeant Rojas has an extensive list of tasks she needs to finish by the end of the day. Two hours before the end of her shift she realizes she will not be able to finish all her tasks today. The question asks for the best approach Sergeant Rojas should take to prevent this problem going forward. The keyed response is option d, “At the beginning of each shift plan and organize her tasks for the day.” Hanneman, who selected option a, “Try to finish what she can and complete the rest of her tasks tomorrow,” misremembered the question providing, “Sgt Roman has lots of work to do. He realizes that he won’t finish it in the next two hours and needs some help. HOW should he handle this?” Hanneman presents that “this answer suggests that he not incorporate [*sic*] others to assist him which he as a supervisor can do. Is the work supervisor[-]only related or it something he can hand down to an officer to assist him with[?] As this is not spoken of in the question it should be challenged.” As indicated above, the question asks candidates to determine “the **best** approach Sergeant Rojas should take **to prevent this problem going forward.**” As such, option a does not provide a solution to prevent this issue in the future. It is noted that this item does not indicate the circumstances as to why Sergeant Rojas is

⁵ The Use of Force Policy (April 2022) defines an active resistor as a person who is uncooperative, fails to comply with directions from an officer, and instead actively attempts to avoid physical control. This type of resistance includes, but is not limited to, evasive movement of the arm, flailing arms, tensing arms beneath the body to avoid handcuffing, and flight. In a correctional institution, any member of a group of four or more inmates or detainees who fails to comply with an order from a correctional police officer – or a single inmate or detainee who fails to comply with an order related to handcuffing inside a cell or secured tier – shall be considered an active resistor.

unable to complete her tasks, *e.g.*, she did not organize her tasks for the day; she is not adept at prioritizing/organizing her tasks; or emergent matters arose and prevented her from completing her extensive list of tasks. As such, TDAA contacted SMEs regarding this matter who indicated, in part, that it would be best for Sergeant Rojas to either prioritize her work on her own or seek guidance from her supervisor before her deadlines, not after they are missing or incomplete. Given this, TDAA determined to double key this item to option a and option b, “Speak with her lieutenant and ask for advice on how to organize tasks better,” prior to the lists being issued.

Question 28 in booklet A (question 57 in booklet B) indicates that on the midnight shift during her routine tour/cell checks, CO Donlon hears someone say, “Help! Help me, I am being raped!” CO Donlon quickly continues her tour/cell checks, looking through every vision port of each door she passes in the multiple occupancy housing unit. At the conclusion of the tour/cell checks, she is unable to ascertain where the cries are coming from. As CO Donlon contemplates what to do, she again hears the same pleas for help, “I am being raped, help me.” The question asks for the course of action is that is least helpful for CO Donlon to take at this point. The keyed response is option c, “Notify the medical unit and shift commander to prepare for a possible sexual assault incident.” It is noted that Hannemann, who misremembered the question as asking, “What should he do next?”, selected option d, “Call for additional responding staff.” Hannemann argues that CO Donlon “should not call for more assistance. This is not a real-world application as any officer given this situation will call for assistance. It does not suggest him not calling for assistance from a supervisor or another officer or that he notified central of the instance. The answers are not of real-world application and it does not specify who not to ask for assistance from.” Willerson, who selected option b, “Immediately conduct another tour/cell check of the multiple occupancy housing unit,” presents that the question was keyed “as if the question was asking for the best next course of action. The question is asking for the least next course of action.” Willerson argues that in this situation, conducting a tour for a third time would be a waste of time and puts the victim in more danger and that a third tour “would more than likely produce the same result; no findings.” Zanati contends that option b is the best response since “the officer did multiple tours already and was unable to find the person who was yelling this[.] Notifying the shift commander about their situation would help bring more resources to the area to assist. Having medical staff aware of the situation will have them prepared in case it is a true emergency.” Given that CO Donlon was unable to locate the individual at conclusion of the tour/cell checks on her own, additional resources would be key to resolve this matter. Thus, as noted by the appellants, having her conduct another tour on her own may not yield better results. In addition, option c does not, despite Zanati’s argument, indicate that additional resources would be sent. Rather, option c only indicates that you are only *notifying* the medical unit and shift commander and not requesting additional resources. As such, TDAA

determined to double key this item to option b and option c prior to the lists being issued.

For question 30, since Hannemann selected the correct response, his appeal of this item is moot.

Question 32 in booklet A (question 52 in booklet B) indicates that while touring your facility, you notice CO Jacobs, who is usually jovial, appearing to be distracted. As you approach, you also notice his uniform is untidy, which is uncharacteristic of CO Jacobs. You are uncertain, but it also appears CO Jacobs may have been recently crying. You approach CO Jacobs (while no other officers are around) to ask him if he's okay and if there is anything he'd like to discuss. He tells you he will be fine if you leave him alone. The question asks for the best course of action to take in this situation. The keyed response is option a, "Have CO Jacobs relieved immediately and attempt to discuss any issues he may be having." Hannemann, who selected option d, "Speak with CO Jacobs privately at the end of the shift," argues that the key "suggests overtly bringing attention to his looks and to his current situation. If he has a problem[,] have him sent home and/or to a hospital for evaluation⁶ [and] not embarrass the individual by forcing him to speak with you which was already attempted and he re[f]used it." It is noted that TDAA contacted SMEs regarding this matter who indicated that CO Jacobs' deviation from his usual demeanor and the fact that he is clearly upset, must be immediately addressed by his supervisor and cannot be ignored. The SMEs noted that failing to take immediate action with respect to the distraught officer could jeopardize the safety of the inmates and other officers. In this regard, the SMEs emphasized that ignoring the situation and allowing CO Jacobs to remain at his post and in custodial control of inmates while in distress could lead to more issues for the officer and the facility. Thus, the question is correct as keyed.

Question 33 in booklet A (question 58 in booklet B) indicates that one of your officers reports to you that Inmate Reece did not come down to the tray serving area from his cell to retrieve his lunch tray. Your officer states that he gave an "all call" for inmates to receive their lunch trays. He also reports that every other inmate in the housing unit heard the announcement and received their lunch tray. The question asks candidates how they should you best advise the officer. The keyed response is option b, Advise the officer to "immediately converse with the inmate and attempt to ascertain if there is an issue." Gleason,⁷ who selected option a, Advise the

⁶ It is noted that having the officer "sent home and/or to a hospital for evaluation" was not one of the answer choices provided to candidates.

⁷ In his appeal, Gleason, who tested in the afternoon session (**booklet B**), refers to question 48 in his appeal form. However, Gleason does not provide any description of this question or of "option a" beyond what is noted above. It is noted that question 48 in **booklet B** (question 60 in booklet A) refers to an Incident Report Summary provided to candidates in the test booklet. It is further noted that

officer to “leave a new food tray in the cell of the inmate who did not receive his tray and document that he was offered his food tray,” provides:

I believe option A should be correct. The s[c]enario in question never states that there is some kind of emergency or that there was a previous issue with that inmate. Option B uses the word ‘immediately’ which suggest[s] there is a pressing [illegible] to stop the running of trays and in turn stop the orderly running of the housing unit. Given the fact that nothing in the question gives cause to the event that there is some type of urgen[c]y, immediately stopping the running of the unit to talk to an inmate should not be correct with the information given.⁸

Zanati, who selected option c, Advise the officer to “call for an on-site mental health counselor, call the kitchen to have Inmate Reece’s tray replaced, and document the missed meal in his report,” presents that “as a supervisor I would instruct my capable officers to ascertain why the inmate did not report for his meal tray⁹ . . . This is a task that an officer can perform. As a supervisor, once I learn why the inmate did not eat, my job would then be to call mental health if needed and ensure that the inmate receive[s] a new meal tray.” At this point, it is not clear why Inmate Reece did not receive his lunch tray, *e.g.*, did he hear the “all call”?; was he not hungry?; or was he in his cell when “all call” was made? Regarding option a, since it is unknown why Inmate Reece did not receive his lunch tray, leaving another tray may not accomplish anything and does not attempt to determine whether Inmate Reece may have an issue. Thus, option a is not the best response. Regarding option c, again, since it is unclear why Inmate Reece did not receive his lunch tray and the question does not indicate that there is a mental health issue, option c is not the best response.

Question 34 in booklet A (question 54 in booklet B) indicates that CO Nelson hears what he believes to be a slapping sound coming from Inmate Harrison’s cell. When he goes to investigate the sound, he sees Inmate Harrison slapping himself in the head repeatedly, before escalating to hitting his head against the wall. CO Nelson orders Inmate Harrison to stop, which he immediately complies with. CO Nelson asks Inmate Harrison if he needs medical treatment to which Inmate Harrison declined. Inmate Harrison then sat down on his bed and leaned against the back wall with his eyes closed. CO Nelson made note of the incident in his log and told his relieving officer to keep an eye on Inmate Harrison. The question asks whether CO

question **58** in **booklet B** (question 33 in booklet A) is the only item that refers to “trays” and option b, as noted above, contains the word “immediately.” Thus, it is presumed that Gleason has misidentified question **58** in **booklet B** (question 33 in booklet A) as question 48 in booklet B (question 60 in booklet A).

⁸ Gleason does not explain how advising an officer in option b to speak with the inmate would “stop the running of trays” and/or “stop the orderly running of the housing unit.”

⁹ As indicated above, the question asks how you, a supervisor, would *advise the officer*.

Nelson should have taken a different course of action in this situation. The keyed response is option d, “Yes, he should have contacted medical personnel to come assess Inmate Harrison.” Gleason argues that option c, “Yes, he should have informed his direct supervisor of the incident,” is equally correct. In this regard, Gleason argues, “The inmate declined medical attention and was no longer causing any harm to himself. Not saying that you don’t contact medical but it was not an emergency. So contacting the supervisor and going from there should also be correct.” It is noted that TDAA contacted SMEs regarding this matter who indicated that based on the information presented in the question, the inmate may have a head injury which would need to be assessed by medical personnel. In addition, given the inmate’s behavior, the inmate may have a mental health issue which would also need to be assessed. Although the inmate has declined medical treatment, the SMEs indicated that the best course of action would be to first call medical personnel. In this regard, the SMEs explained that as an officer, you have an obligation to have trained medical staff respond to assess the inmate under these circumstances. As such, the question is correct as keyed.

Question 36 in booklet A (question 9 in booklet B) refers to Gerald W. Garner, *Supervising Police Employees in the Twenty-First Century* (2019), and indicates that you will be the supervising sergeant for three officers were hired last week. You have a week to prepare for your introductory meeting with them and you want to make a good impression. The question asks, based on the information provided by Garner, for what would be the most helpful in gaining the officers’ trust in you as a leader. The keyed response is option c, “Set clear standards and lead by example.” Hannemann, who selected option b, “Get to know them outside of work,” maintains that if you are not “the training supervisor directly involved with their said training you will not have full access to these individuals and they will not have sole understanding of who you are [as] a boss and as a person. This doesn’t allow the test taker to acknowledge their own ways of preparing to set them in your sights and steer them in the direction you so choose, not the author’s opinion on how he has done it in the past.” Zanati misremembered the question as, “Three new officers are starting there in a week, and you have to prepare the introduction. What should you do to prepare?” and misremembered the keyed response as option b. Zanati argues that option d, “Review their resumes in preparation for the meeting,” is the best response. In this regard, Zanati refers to the text which provides, “Your supervisory peers may be able to provide a wealth of information. Unless they are brand new hires, members of your crew likely have worked for some of these people in the past. These prior bosses should be able to tell you a lot. You can learn much about special skills and talents as well as potential problems.” Zanati asserts that “reviewing the resumes would give you a background on what types of jobs they’ve done in the past, what kind of experience they may or may not have and their education level.” With respect to Hannemann’s concern that the keyed response is based on Garner’s opinion, as noted

above, the question specifically refers to the text by Garner.¹⁰ Furthermore, the question asks for what would be the “most helpful in *gaining the officers’ trust in you as a leader*.” In this regard, Garner, in Chapter 1, under the section, “What Do You Need to Do?,” provides that “once you have learned where it is you all are expected to go and what is that you are expect to accomplish, you want and need for your people to follow you there . . . [Your people] want to know where you are leading them. To gain their trust enough for them to want to follow you there, you must do several things and do them well.” Garner specifically indicates, in pertinent part, that you must:

Set the standards. You are the positive role model your employees need to see and hear. You cannot afford to let them down. You must set a great example.

Set and disseminate clearly the goals of the work group. This is the road map that you want your people to follow. But to do that they need to see know what it says. Make your expectations as clear as you possibly can.

Garner does not indicate that either option b or option d would be helpful in *gaining the officers’ trust in you as a leader*. As such, the question is correct as keyed.

Question 40 in booklet A (question 6 in booklet B) refers to Garner, *supra*, and indicates that you have recently been transferred to a new facility in a county you are unfamiliar with. You have been in the position for two months and are having issues taking charge with the officers assigned to you. They complain over you replacing their previous sergeant and speak often of how the previous sergeant did things. You have been following policy and procedure, but these comments have you questioning

¹⁰ As indicated in the 2024 County Correctional Police Sergeant Orientation Guide, which was available on the Civil Service Commission website, under the section, “Potential Source Material,” the following information was provided:

C. Potential Source Material

The following sources will be used by the CSC to develop questions for this exam:

New Jersey Administrative Code Title 10A, Chapter 31
New Jersey Attorney General Guidelines and Directives
Prison Rape Elimination Act (PREA) Regulations

In addition to these sources, the CSC will utilize the following text to develop test questions:

Supervising Police Employees in the Twenty First Century:
A Problem Solving Manual for Law Enforcement Leaders
Gerald Gardner
March 28, 2019
Published by Charles C Thomas Publisher, Ltd.
<https://www.ccthomas.com/>
ISBN 13: 978-0398092757

Prior to the posting of this guide, the publisher indicated sufficient quantities of this title, which is available in both a printed and electronic format. Candidates should be able to buy this text directly from the publisher or through another retail source (e.g., Amazon). If there are any problems regarding the availability of this text, please contact the publisher at the website noted. The Civil Service Commission will not be responsible for the quantity of books available.

Thus, candidates were on notice that the text by Garner would be used to develop test questions.

yourself. The question asks, based on the information provided by Garner, for the best action to take. The keyed response is option d, “Speak with your officers about their issue with your command and have an open discussion about the changes you aim to make.” Zanati argues that option b, “Go over the policies and procedures to reassure yourself of your decisions and make sure you are taking the correct actions,” is the best response. Specifically, Zanati maintains that “reviewing policy and procedure and becoming familiar with them is the best way to make sure that he is doing the correct thing.” The question indicates that you have been following policy and procedure. However, the officers are complaining about how the previous sergeant did things. As such, the issue is not whether you are following policy but rather, the officers’ perception of how you are following policy and procedure. In this regard, your way of supervising may be different from or challenge the status quo of how the previous sergeant supervised. Garner, in Chapter 2, “Your Relationship With Your Crew,” provides, in part, “your people want to be heard out in any controversy or conflict. They want to be able to present their side of events without interruption.” Thus, option d both addresses the issue directly and offers the officers the opportunity to be heard. As such, the question is correct as keyed.

Question 41 in booklet A (question 5 in booklet B) refers to Garner, *supra*, and indicates that a week ago, you were observing CO Morgan search an inmate’s cell for suspected contraband. During the search, you witnessed CO Morgan rip a few of the inmate’s photos that were stuffed between the pages of a book. After the search, you pulled CO Morgan aside and told him to be more careful next time as the photos were ripped unnecessarily. Since the incident, CO Morgan has been distant, and you feel there is tension. The question asks, based on the information provided by Garner, for the best action to take. The keyed response is option a, “Speak with CO Morgan about the tension and ask if there was something about the incident that upset him.” Hannemann, who selected option b, “Give CO Morgan space to work through his feelings and see if there is improvement in the next week or so,” misremembered the question as indicating:

C/O Morgan searches a cell for contraband. While doing so he searches a bible and accidentally tears some photos stuck in it. The inmate notices this and confronts him. He tells him he didn’t do it. You [c]onfront C/O Morgan after the inmate tells you what happened and he becomes angry and distances himself from you.

Hannemann argues that “the accusatory language of this question points directly that the officer is guilty without a chance to explain himself before the Supervisor attempts to listen to what the officer says he immediately agrees the officer is guilty according to what the inmate says and is not practical in this setting as this does not happen in correctional settings. This should be removed.” Given that Hannemann has misremembered the question stem, his arguments are clearly misplaced.

Question 42 in booklet A (question 10 in booklet B) refers to Garner, *supra*, and indicates that you are a newly appointed sergeant and are looking to foster a closer bond with your officers. Candidates are presented with four statements and asked, based on the information provided by Garner, for the actions you should take. The keyed response is option c, II, “Pay attention to the personal information officers share with you,” III, “Spend some individual time with each officer,” and IV, “Get to know the officers beyond their job responsibilities,” only. Gonzalez, who selected option d, I, “Familiarize yourself with your officers’ daily routines at work,” II, III and IV, presents that “to be a well rounded Sergeant I should be on my floor in my area with my team of officers not only learning and listening to them and their personal information that they share with me, but also getting to know them on their units and learning their work routines.” Gonzalez contends that “this will help me in helping them in the redirection of the way they may be running the unit incorrectly or missing proper safety and security techniques and help me teach them, if necessary, to run a safe and secure unit, and it will also me learn and familiarize their behavior both ‘during and beyond their job responsibilities.’” Hannemann, who also selected option d, misremembered the keyed response as “Pay attention to their needs, give them time to speak with you alone, get to know them outside of work.” In this regard, Hanneman argues that there would be different gender-based expectations on how to get to know employees outside of work and “different [age-related] approaches to being in a formal setting which the author does not discuss or attempt to explain. This was not properly discussed in the book and again is based on the opinion of an author who does not work in a correctional type setting.” Given that Hannemann misremembered the keyed response, his arguments are misplaced. Garner provides, in Chapter 2, in pertinent part, that “Your officers desire that you know them by name, as something more than a body that can fill a beat or a desk chair. They want you to know something about them, even if it is only that they have kids and a wife named Liz.” Thus, while being familiar with your officers’ work routines may assist you in supervising your officers, it will not necessarily foster a closer bond. Accordingly, the question is correct as keyed.

Question 43 in booklet A (question 3 in booklet B) refers to Garner, *supra*, and indicates that Sergeant Lopez approaches you right before your lunch and asks if you have time to talk. He wants to go over the paperwork he gave you last week. At the time, you didn’t look it over and completely forgot about it. The question asks, based on the information provided by Garner, for the action should you take. The keyed response is option b, “Tell him you didn’t have time to look it over yet but will get back to him right after lunch.” Gleason, Gonzalez, and Zanati argue that option c, “Apologize for the delay and be honest that you haven’t looked it over yet,” is the best response. In this regard, Gleason maintains that “Garner talks about owning your mistakes and always be honest. Option c does both of those things.” Gonzalez presents, “why would I tell the officer ‘wait, let me eat first’ versus being honest and letting them know I apologize for the delay in getting back to them. They would respect that honest answer much more than brushing them off response of me saying

that I want to eat first, as if their situation didn't matter that much to me." Zanati asserts that in the keyed response, the Sergeant indicates that he will get back to the officer after lunch but "he does not know that for sure making another promise that he does not know he can keep." Hannemann, who selected option d, "Tell him you are going to look it over now and will have time to go over it before the end of your shift," argues that this question suggests an opinion on how the author has or would have handled the situation while sitting at a desk administratively. This is not the opinion of any/all Correctional Sergeants or with reasoning that would deter him from addressing this on the day the report was handed to him. An opinion not expressed in the book on how to address this type of situation." It is noted that the question specifically refers to the text by Garner. In this regard, Garner, in Chapter 1, under the section, "What Do You Need to Do?," provides, in pertinent part, that you should "be known for reliability. Your employees must have faith that when you say you are going to do something for them it is guaranteed to be done. A reliable leader keeps his word no matter what. If for some reason you cannot make good on a pledge you owe your people an explanation as to why." While you offer Sergeant Lopez an apology in option c, you do not provide him with an explanation or a timeline for meeting with him. In option d, while you provide Sergeant Lopez with a time for meeting with him, you do not provide him with an explanation as to why you have not reviewed his paperwork. Option c provides Sergeant Lopez both with an explanation and a timeline for meeting with him. As such, the question is correct as keyed.

Question 44 in booklet A (question 14 in booklet B) refers to Garner, *supra*, and indicates that in the parking lot before your shift, CO Garret approached you and said, "Lieutenant Olsen better watch her back. With your work ethic, if you decide you want her position, it won't be much of a fight to get it. I don't even remember what she looks like. I feel like I haven't seen her come out of her office in weeks!" These comments take you by surprise and before you could respond, CO Garret walked away. Upon reflection, you realize that CO Garret has been taking any opportunity to make sly comments about Lieutenant Olsen to you. The question asks, based on the information provided by Garner, for the action you should take. The keyed response is option a, "Speak to CO Garret about his comments, explain they are unacceptable, and that he should refrain from such in the future." Hannemann, who selected option c, "Ignore CO Garret's comments, distance yourself from him, and avoid engaging in conversations with him regarding Lieutenant Olsen," presents, "this officer is aware of his surroundings and as are the supervisors listening to him so it is the author[]s opinion that you as another supervisor you should step in and say something which you have your opinion on as well. This is again the author[]s opinion again on how he has or would handle the situation based on his opinion. Not an overall way or demonstrative source of opinions. Nothing factual on the basis of this answer would suffice." It is noted that Hanneman has not presented any information from an authoritative source that would contradict the keyed response. Moreover, the question specifically refers to the text by Garner. It is noted that

Garner, in Chapter 3, “Your Relationship With Your Boss,” provides, “Demonstrate loyalty. You should not be engaging in back-biting, undermining, rumor-mongering or anything else that could be seen as detrimental to your boss and his or her position. Many bosses view disloyalty as insubordination, a view that will not be helpful to your future with your boss or organization if he deems you guilty of it.” Garner also provides, “Handle your team and responsibilities. Your boss has neither the time nor desire to do your job in addition to his own . . . You must not expect your boss to handle tasks you are responsible for. Letting that happen could cause him to suspect that you are lazy, incompetent or both.” Since CO Garret has been approaching you with these comments, it is your responsibility to address this situation. Option c does not address the officer’s behavior and puts off handling the situation. As such, option c is not the best response.

Question 45 in booklet A (question 4 in booklet B) refers to Garner, *supra*, and indicates that the officer assigned to work the phone to schedule inmates’ visits called out sick this morning. You volunteered to fill an hour until CO Tatum arrives to cover the shift. Five minutes before you are scheduled to be relieved, an elderly woman, Sandy, calls about visiting an inmate at the facility. CO Tatum arrives while you are still on the phone. Sandy has quite a few questions about visitation, and you have had to repeat yourself several times. You need to return to your regular duties. The question asks, based on the information provided by Garner, for the action you should take. The keyed response is option c, “Tell Sandy that CO Tatum will assist her further as he handles scheduling visits, briefly update him on the situation, and let him finish the call.” Willerson asserts that option d, “Try to redirect the conversation to give Sandy the necessary information and provide her with the hours she can call back if she has any further questions,” is the best response. In this regard, Willerson contends that Garner, in Chapter 13, provides that “[T]ypically someone who is seeking help does not want to be interrupted mid-conversation nor do they want to be brushed off.” Willerson maintains that “interrupting the woman . . . to tell her that another officer will handle her matter completely goes against what Garner suggests . . . As a supervisor, . . . passing the phone call off to someone else will more than likely create an undesirable experience for the woman.” Willerson argues that “redirecting the conversation to answer the woman’s question and instructing her to call back with further questions not only potentially provides her with a solution to her problem (from a supervisor), but it also provides her with assurance that shall she need additional support, she is welcome to call back.” The question indicates that you volunteered to fill in for the officer assigned to work the phone to schedule inmates’ visits until CO Tatum arrives. As such, CO Tatum is more well-versed with the visitation process and can provide more accurate information than you can. In option c, you are delegating this matter to the individual who has expertise in the visitation process. Thus, rather than brushing Sandy off, you inform Sandy that you will have CO Tatum, who handles visitations, to assist her and in that way, you are allowing Sandy to receive a thorough explanation regarding her concerns and the most accurate information regarding all

of her questions. However, in option d, you are cutting her short by redirecting the conversation to avoid answering her questions. In addition, you are making her call back at another time in order to have all of her questions answered. Thus, option d is not the best response.

Question 46 in booklet A (question 7 in booklet B) refers to Garner, *supra*, and indicates that while driving a patrol car through the visitor parking lot, you see a car idling in one of the spots. Visiting hours for your facility ended an hour ago. You pull up parallel to the driver's side window and ask the driver to roll it down, which she does. The question asks, based on the information provided by Garner, for the action you should take next. The keyed response is option b, "Ask the driver if she is okay and if she needs assistance." Gleason, who selected option c, "Ask the driver why she is currently idling in the parking lot," argues that "given the fact that visiting hours ended an hour ago[,] it would not be common to find someone still idling in their car. Because of this I chose option B. I feel option B goes above and beyond while still accomplishing the goal of finding out why there are still th[ere]."¹¹ It appears that Gleason is arguing for the keyed response and thus, his appeal of this item is moot. Nevertheless, it is noted that option c does not express the concern or empathy, as indicated in option b, and could be perceived as hostile. As such, option c is not the best response.

Question 48 in booklet A (question 1 in booklet B) refers to Garner, *supra*, and indicates that CO Davis came to you with concerns about working with CO Oakley. CO Davis tells you that he feels that CO Oakley is always undermining him. The question asks, based on the information provided by Garner, for the action you should take first. The keyed response is option a, "Ask CO Davis if he has any specific examples of instances where he felt undermined." Hanneman argues that the keyed response "does not allow the officers to figure out their own problems and would cause this CO#1 to be exiled from all other housing units since he would be 'that' impossible officer to work with." It is noted that "allow the officers to figure out their own problems" was not one of the answer choices provided to candidates. Furthermore, Hannemann has not presented any information from Garner that supports his argument.

Question 49 in booklet A (question 11 in booklet B) refers to Garner, *supra*, and indicates that Sergeant Carter, who was recently transferred from another facility, has come to you with a complaint about CO Torres. He claims loudly in front of several officers that CO Torres has not been pulling his weight and he is difficult to work with. You know CO Torres very well, and the behavior described is unlike him. The question asks, based on the information provided by Garner, for the action you should take first. The keyed response is option c, "Ask Sergeant Carter to follow you to a more private setting so you can address the issue." Hannemann, who selected option a, "Tell Sergeant Carter this is not like CO Torres at all and ask him

¹¹ In his appeal, Gleason does not describe what he believes option b states.

to speak with you in private so you can solve the issue together,” argues that Sergeant Carter is a new supervisor and entitled to his opinions and thus, the keyed response “has no validity as it is Garner[']s opinion on how he would or could handle this type of situation but no[t] an overall way of doing things.” As indicated above, this question specifically refers to the text by Garner. Zanati contends that option b, “Tell Sergeant Carter that this is an inappropriate place to speak about the incident and ask him to refrain from speaking about subordinates so publicly,” is the best response. Zanati cites portions of Chapter 1, “The Toolbox of a Great Leader,” in part, as follows: “Yelling or cur[s]ing at your people should never happen, no matter who great the provocation. Playing favorites and showing partiality towards one or more of your employees on also unacceptable . . . Failing to show loyalty to anyone or anything is absolutely denied an honorable leader . . . Your employes will expect you, their trusted leader, to display courage even when those around you are doing anything but.” Zanati argues that “the supervisor should be told his comments were inappropriate to say about that officer at that time. The officers expect you, their trusted leader, to display courage even when those around you are doing anything but.” Option b only reprimands Sergeant Carter and does not indicate that you are attempting to understand the issues or hearing Sergeant Carter out regarding his concerns. As noted by Garner, in Chapter 2, “Your Relationship With Your Crew,” in pertinent part, “Your people want to be heard out in any controversy or conflict. They want to be able to present their side of events without interruption. They want to be given the opportunity to explain, even if you do not ultimately agree with their explanation.” As such, option b is not the best response. However, option c allows Sergeant Carter the opportunity to provide an explanation and specific examples, and for you to gain an understanding of the situation. Similarly, option a also allows Sergeant Carter to present his side of the issue and specifically indicates that you are going to help resolve this issue. Given this, TDAA determined to double key this item to option c and option a, prior to the lists being issued.

Questions 51 through 60 in booklet A (questions 41 to 50 in booklet B) refer to a narrative, Incident Report, and Incident Report Summary regarding the East Pelican County Prison provided to the candidates in the test booklet.

Question 53 in booklet A (question 45 in booklet B) asks for the line in the Incident Report Summary that contains incorrect information. The keyed response is option c, Line 7. Gleason argues that option a, Line 2, is the best response. In this regard, Gleason presents that the Inmate Summary Report states that “CO Alaric saw [Inmate] Howell Capone approach Inmate Fred Heilman. In the passage it states that [Inmate] Howell Capone waked across the east side to the west side. Then i[t] says CO Alaric observed [Inmate] Howell Capone tap [Inmate] Fred Heilman. I[t] does not say CO Alaric saw [Inmate] Capone approach [Inmate] Heilman.” Gonzalez and Zanati contend that option b, Line 4, is incorrect. Specifically, Gonzalez argues that “in (line 3-4) Inmate Capone did not shove his chest and walk away. Inmate

Capone shoved his shoulder and walked back.” It is noted that the pertinent portion of the Incident Report Summary provided:

East Pelican County Prison Incident Report Summary	All incident reports must include an incident summary.
1. While supervising inmates in Housing Unit C-1 cafeteria on Thursday, September 2, 2023, at 1700	
2. hours, I, CO Garratt Alaric (ID#4901-46) saw Inmate Howell Capone (inmate #3020-40) approach Inmate	
3. Fred Heilman (inmate #9085-23) and he initiated a conversation. Inmate Capone shoved Inmate Heilmans chest	
4. and began to walk away, then Inmate Heilman punched him in the back of the head. Inmate Heilman began to	
5. kick Inmate Capone, and the other inmates stood up from their seats to watch. I, CO Garratt Alaric, called a fight	
6. code as CO Harwin Stronghold attempt to restrain Inmate Capone and is elbowed in the face by the	
7. inmate. Four officers from the response team and Sergeant Hailey Finberg (ID#3296-09) arrived on scene.	

With respect to Line 2, the Narrative provides, in pertinent part, “Inmate Howell Capone (inmate #3020-40) walked across the east side of the cafeteria to the west side. CO Alaric observed Inmate Capone tap Inmate Fred Heilman (inmate #9085-23) and start a conversation that lasted 20 minutes.” It is noted that the purpose of the Summary is to present the information or concepts provided in the Narrative in a succinct manner. Given this, a summary may utilize different wording while expressing the same concept. As such, the Narrative indicates that Inmate Capone walked across the cafeteria in order to start a conversation with Inmate Heilman. In other words, Inmate Capone came closer to, *i.e.*, approached,¹² Inmate Heilman in order to speak with him. Thus, Line 2 is correct. With respect to Line 4, the Narrative provides, in pertinent part, “Inmate Capone then shoved Inmate Heilman’s shoulder, turned, and walked back towards the east side of the cafeteria. Inmate Heilman stood up, pursued him, and punched him in the back of the head.” Thus, while Line 3 of the Incident Report Summary is incorrect, *i.e.*, Inmate Capone shoved Inmate Heilman’s chest rather than his shoulder, as indicated in the Narrative, it is noted that Line 3 was not one of the answer choices provided to candidates. However, Line 4 of the Incident Report Summary, which was one of the answer choices, is correct, *i.e.*, Inmate Heilman punched Inmate Capone in the back of the head. Regarding Line 7, the Narrative provides, in pertinent part, “a response team of four officers arrived on the scene along with Sergeant Hailey Finberg (ID#3269-09).” As indicated above, Line 7 of the Incident Report Summary provides, “Four officers from the response team and Sergeant Hailey Finberg (ID#3296-09) arrived on scene.” Given that the ID number for Sergeant Finberg is incorrect in the Incident Report Summary, the question is correct as keyed.

For question 55 in booklet A (question 46 in booklet B), candidates are presented with four statements and asked which correctly completes the “Shift

¹² It is noted that the Merriam-Webster Dictionary defines *approach* as “to draw closer to” as in “approach a destination.” See <https://www.merriam-webster.com/dictionary/approach>. The Oxford English Dictionary defines *approach* as “to come nearer (relatively), or draw near (absolutely), in space.” See <https://www.oed.com/search/dictionary/?scope=Entries&q=approach>.

Supervisor Name/ID#” blank on the Incident Report and Incident Report Summary. The keyed response is option a, I, Lieutenant Jose Salmond, and III, ID #3321-94, only. Gonzalez, who selected option d, II, Sergeant Hailey Finberg, and IV, ID #3269-09, only, presents that “the Officer who signed has entered the wrong ID # on both reports and is not even the rank of a Sergeant. That is not correct either. To add, the shift supervisor’s signature was missing on both reports altogether, making the reports incorrect for lack of signatures making both reports incomplete.” It is noted that the Incident Report provides at the bottom of the report:

CO Garratt Alaric/ID# 4901-46

Reporting Officer Name/ID#

Shift Supervisor Name/ID#

The bottom of the Incident Report Summary provides:

CO Garratt Alaric/ID# 4601-49

Reporting Officer Name/ID#

Shift Supervisor Name/ID#

While the Reporting Officer’s ID number is incorrect on the Incident Report Summary,¹³ as indicated above, the question does not ask candidates to determine what information is incorrect. Rather, the question requires candidates to determine what information “correctly completes the ‘Shift Supervisor Name/ID#’ **blank** on the Incident Report and Incident Report Summary” (emphasis added). Thus, the fact that “the shift supervisor’s signature was missing on both reports altogether” was intentional. As provided in the Narrative, “The placing of inmates in pre-hearing detention, a disciplinary housing unit, and transferring inmates to Ginger Field hospital was signed off by **the shift supervisor, Lieutenant Jose Salmond (ID#3321-94)**, and the facility warden, Warden Jacob Dirk, on September 2, 2023, at 1830 hours” (emphasis added). Accordingly, the question is correct as keyed.

CONCLUSION

A thorough review of appellants’ submissions and the test materials reveals, with the exception of the above noted scoring changes, that the appellants’ examination scores are amply supported by the record, and the appellants have failed to meet their burden of proof in this matter.

ORDER

Therefore, it is ordered that these appeals be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

¹³ As noted in the Narrative, “CO Garratt Alaric (ID#4901-46).”

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 19TH DAY OF MARCH, 2025

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