



STATE OF NEW JERSEY

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

In the Matter of Richard Hernandez,
Police Captain (PM4699D) Fort Lee

Examination Appeal

CSC Docket No. 2024-221

ISSUED: July 23, 2025 (TMG)

Richard Hernandez appeals his oral score on the promotional examination for Police Captain (PM4699D) Fort Lee. It is noted that the appellant passed the examination with a final average of 86.410 and ranks second on the resultant eligible list.

The examination was developed by Subject Matter Experts (SMEs), individuals who are proficient in the field of policing and have or are serving as incumbents in the title under test. The oral portion of the examination consisted of a scenario involving an automobile that crashed into a nursing home. Candidates were asked three questions and had 15 minutes to present their answers. Candidates were scored on both technical knowledge and oral communication. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

Candidates were rated on a five-point scale, with 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. For both technical knowledge and oral communication, the requirements for each score were defined. The appellant received a score 4 on technical knowledge portion and a score of 5 on the oral communication portion.

Regarding his score on the technical knowledge portion, the SME noted that the appellant missed the opportunity to have the structural integrity of the nursing home evaluated. On appeal, the candidate contends that by calling for an Urban Search and Rescue team, the structural integrity of the building would be evaluated, and thus, contends that his score for the technical knowledge portion of the examination should be a 5.

In response, the candidate's recorded test performance, the scoring criteria and assessor notes were reviewed. Upon review, the candidate did indicate that because the nursing home was compromised, he would call for an Urban Search and Rescue team, but he did not indicate what the team would be tasked with accomplishing. More specifically, he did not indicate that he called the team to evaluate the structural integrity of the building. Candidates were instructed at the beginning of the examination that their answers to the questions should be as specific as possible and that general actions would not contribute to their score. Accordingly, he was properly not awarded credit for that PCA and his score of 4 on the technical knowledge portion of the examination is correct.

CONCLUSION

A thorough review of the appellant's submissions and the test materials indicates that the appellant's oral examination was correctly scored and the appellant has failed to uphold his burden of proof.

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 23RD DAY OF JULY, 2025



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