



STATE OF NEW JERSEY

In the Matter of Luis Garcia, *et al.*,
Police Sergeant (various symbols)

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

CSC Docket Nos. 2025-1849, *et al.*

Examination Appeals

ISSUED: November 14, 2025

Luis Garcia, Carrie Scharpnick and William Shoemaker, II, appeal the March 1, 2025, test administration of the Police Sergeant promotional examination (various symbols). These appeals have been consolidated herein based on the common issues presented.

By way of background, the subject examination was administered to candidates on March 1, 2025.¹ The candidate population was drawn from numerous local government appointing authorities across New Jersey. As such, the examination was administered at several locations throughout the State. Division of Test Development, Analytics and Administration (TDAA) staff served at those locations as test monitors, associate center supervisors, and center supervisors. The resultant lists have not yet been issued.

In his appeal to the Civil Service Commission (Commission), submitted online on March 17, 2025, Garcia, who took the examination at Essex County College, indicated that he observed individuals “elbow-to-elbow” secretly talking to one another; individuals who returned from the bathroom secretly talking to other candidates; and more than one candidate at a time leaving the room to go to the bathroom at the same time. He also stated that “[t]hroughout the day” he saw individuals with smartphones and smartwatches but did not observe any candidate

¹ Agency records indicate that **4,763** candidates were scheduled to take the examination on that date. The subject appeals are the only ones submitted alleging the issue of cheating.

using same during the examination. He believes these observations strongly suggest that cheating took place during the examination.

In her appeal, submitted online on March 20, 2025, Scharpnick, who took the examination at Essex County College, indicated that she is aware of “allegations that some individuals may have cheated” on the subject examination. She requests that the Commission conduct a thorough investigation. No further details are presented.

In his appeal, submitted online on May 10, 2025, Shoemaker, who took the examination at Camden County College, indicated that he was “recently advised by [his] union representatives of alleged cheating utilizing cell phones” during the subject examination administration. He stated that this “reminded” him of incidents he observed during the examination. Among other things, he indicated that when he utilized the bathroom during the examination, he was not escorted, as he had been in a previous examination, and there were several candidates in the bathroom without a monitor. He also indicated that there was no screening for prohibited devices such as cell phones. He argued that “[u]pon recently being notified of the alleged high tech cheating it reminded [him] of these incidents” and made him realize “how easily this high tech cheating could have occurred during this examination.”

CONCLUSION

N.J.A.C. 4A:4-6.3 provides, in pertinent part, that in examination items, scoring, and administration appeals, the appeal shall include the specific objection being appealed and that the appellant shall have the burden of proof.

N.J.A.C. 4A:4-6.4(c) provides that an examination candidate wishing to challenge the manner in which the examination was administered must file an appeal in writing at the examination site on the day of the examination.

In response, initially, the Commission takes every allegation of cheating seriously. However, it is disadvantaged when such allegations are not timely and promptly reported. In this regard, the record does not indicate that the appellants brought up their observations or apparent issues regarding the test administration at the test site. Rather, Garcia and Scharpnick waited nearly three weeks after the examination, and Shoemaker waited over two months to raise such claims. As such, the appellants’ appeals of the test administration are untimely as they needed to file an appeal in writing at the examination site on the day of the examination. See *N.J.A.C.* 4A:4-6.4(c). In *In the Matter of Kimberlee L. Abate, et al.*, Docket No. A-4760-01T3 (App. Div. August 18, 2003), the court noted that “the obvious intent of this ‘same-day’ appeal process is to immediately identify, address and remedy any deficiencies in the manner in which the competitive examination is being administered.” In other words, any issue that the appellants had with the test administration, especially one as important as allegations of cheating, needed to be addressed with the test monitor, associate center supervisor, or center supervisor to

see if that issue could be addressed at that time. As such, the appellants' appeals are denied on this basis.

Nevertheless, the Commission makes the following comments. Initially, the Commission notes that, even if timely, the appeals presented could not be granted based upon the evidence and arguments forwarded by the appellants. In this regard, their generalized statements are insufficient to establish that any individual engaged in cheating during the examination. Regarding Garcia's and Shoemaker's observations, they do not present any specificity which would allow the Commission to conclude that cheating did occur. No candidate in any test center brought forth any allegations of cheating at the time of the examination administration.² Moreover, in this matter, the Commission has re-reviewed the rooms monitors' and center supervisors' reports from all test centers. Accordingly, the Commission cannot conclude, based on what has been presented, that actual cheating by any specific individuals at the March 1, 2025, Police Sergeant examination administration occurred.

Finally, the Commission notes that, while there is not a preponderance of evidence presented by the individuals in these appeals, if further evidence is uncovered, any individual proven to have cheated or in possession of a cell phone, or otherwise violated Civil Service rules or policies, will be, at a minimum, disqualified from this examination and possibly for future examinations by the Commission.³

² Two additional potential cheating issues arose at separate test centers that were uncovered and documented by room monitors on the test date. TDAA performed analyses of the alleged cheaters in both matters and did not find sufficient evidence to support claims of collusion or cheating. Other claims of cheating were presented to TDAA from two appointing authorities on March 4 and March 12, 2025, respectively, regarding the alleged cheating of two sets of three candidates who took the examination in Essex County. TDAA thoroughly analyzed the claims and found insufficient evidence to support claims of collusion or cheating. As all of these claims were not presented to the Commission in the form of an appeal from an individual, the Commission cannot make any substantive determination. However, it notes that there is nothing in the record detracting from the analyses, and conclusions, presented by TDAA.

³ In this regard, the "2025 POLICE SERGEANT CANDIDATE PLEDGE" signed by all candidates prior to taking the examination states:

I affirm that, under penalty of law (*N.J.S.A. 2C:28-3 Unsworn Falsification to Authorities*), in order to maintain an equitable and competitive testing process, **I will not provide any information about the content of this exam to anyone for any reason** (emphasis in original). I understand that candidates who discuss or provide written transcriptions or recorded exam content information to anyone could be disqualified from this exam at any time (including after list issuance), rejected from future exams, and subject to punishment as provided by law. Additionally, I understand that candidates who are unable to take today's exam may qualify for a make-up exam at a later date and, in order to ensure they do not gain an unfair advantage, I must not communicate to them any content of this exam. I further affirm that I have no advance knowledge of the specific content of the exam I am about to take.

ORDER

Therefore, it is ordered that these appeals be dismissed.

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 5TH DAY OF NOVEMBER, 2025



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N.J.S.A. 2C:28-3. Unsworn Falsification to Authorities. A person commits a crime of the fourth degree if he makes a written false statement which he does not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable. A person commits a disorderly persons offense if, with purpose to mislead a public servant in performing his function, he makes any written false statement which he does not believe to be true.

The Commission cannot comment on how or if an individual's employer will seek additional actions, such as discipline, as such actions are solely within the employer's discretion.