STATE OF NEW JERSEY

In the Matter of Dominic Megna, Police Officer (M0365F), Paterson	:	**FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION**
CSC Docket No. 2025-1611	:	List Removal Appeal

ISSUED: September 23, 2026 **(KMG)**

Dominic Megna, represented by Valerie Palma DeLuisi, Esq., appeals the removal of his name from the eligible list for Police Officer (M0365F), Paterson, on the basis of an unsatisfactory employment record.

By way of background, the appellant applied for the Police Officer (M0117D), Paterson, examination which had a closing date of February 28, 2022. The resulting eligible list promulgated on November 10, 2022, and expired on November 19, 2024. The appellant's name was certified to the appointing authority on February 17, 2023, (OL230176). In disposing of the certification, the appointing authority appointed the appellant to the subject title, effective April 24, 2023. On or about July 25, 2023, the appellant was dismissed from the Passaic County Police Academy (Academy) for violating Academy rules and regulations, and the Police Training Commission (PTC) rule regarding misconduct set forth at *N.J.A.C.* 13:1-7.2(a)8iii. The appellant filed an appeal of his dismissal to the PTC. Following an investigation and hearing on the matter, the PTC's Appeals Committee (Appeals Committee) recommended that the appellant's dismissal from the Academy be upheld. In doing so, Appeals Committee noted that the appellant admitted to the alleged misconduct. In an April 3, 2024, decision, the PTC affirmed the appellant's dismissal from the Academy.[1] The PTC

[1] The decision also noted that parties had the right to appeal the final agency decision within 45 days to the New Jersey Superior Court, Appellate Division. The parties have not indicated that the appellant has filed an appeal with the Appellate Division regarding the PTC's April 3, 2024, decision.

upheld the removal from the Academy on the basis that the misconduct involved false or misleading conduct, and that Police Officers are held to a higher standard. It is noted that agency records indicate that the appellant resigned in good standing as a Police Officer with the appointing authority, effective April 24, 2023.

Thereafter, the appellant applied for the Police Officer (M0365F), Paterson, examination, which had a closing date of April 22, 2024. The resulting eligible list promulgated on November 28, 2024, and expired on November 27, 2025. The appellant's name was certified to the appointing authority on January 2, 2025 (OL250006). In disposing of the certification, the appointing authority requested the removal of the appellant's name on the basis of an unsatisfactory employment record. Specifically, it noted that the appellant had submitted a writing assignment to the Academy, but that the assignment was the product of dishonest behavior, and as a result he was removed from the Academy by the PTC. Moreover, it was noted that the appellant had admitted that he and his brother aided each other in completing a writing assignment, which the appellant knew to be improper.

On appeal to the Civil Service Commission (Commission), the appellant argues that the appointing authority has not shown a legitimate reason for this list removal. In this regard, he argues that his dismissal from a previous Academy class is not sufficient to sustain his removal from the subject eligible list.

In response, the appointing authority states that the appellant has not passed the requisite background check specific to the position. Specifically, it argues that the appellant's violation of Academy rules and regulations and PTC rules would make consideration of the appellant for employment impractical. In this regard, in disposing of the certification, the appointing authority stated that pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States,* 405 U.S. 150 (1972), if determined to be applicable, would render the appellant unable to effectively testify on behalf of the department. Furthermore, the appointing authority notes that the PTC's admission standards for enrollment in a commissioned school requires that a prospective candidate be eligible for New Jersey Police Licensing[2] and that Police Officers applying to receive their initial license must meet the basic requirements, which includes being of good moral character. The appointing authority asserts that, while a lack of good moral character is a waivable disqualification, the PTC requires that an applicant must be of current good moral character and that a candidate needs to submit three letters of recommendation. Therefore, the appointing authority asserts that the appellant has not shown sufficient rehabilitation since the time of his removal from the Academy.

In response, the appellant maintains that the appointing authority is merely presuming that rehabilitation has not taken place. Moreover, he argues that it is the

[2] Pursuant to *P.L.* 2022, c. 65, effective January 1, 2024, law enforcement officers in the State of New Jersey are required to hold a license issued by the PTC. *See N.J.S.A.* 52:17B-67.1.

responsibility of a psychiatrist to determine rehabilitation through psychological evaluation and not the appointing authority. Furthermore, the appellant asserts that the PTC has not told him he would be ineligible for a police license, and, therefore, the appointing authority's conjecture on this point should be ignored by the Commission. Consequently, he contends that the appointing authority did not have a sufficient basis to remove his name from the subject eligible list.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)7, allows the Commission to remove an individual from an eligible list who has a prior employment history which relates adversely to the position sought. Further, *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 the appellant's name from an eligible list was in error.

In the instant matter, the appointing authority requested the removal of the appellant's name on the basis of an unsatisfactory employment record. Specifically, the appointing authority noted that the appellant was removed from the Academy in 2023, and that after a hearing, the PTC upheld his removal. It noted that PTC's decision occurred only 19 days prior to the closing date for the subject examination. Given that a Police Officer is a law enforcement officer, the standard for an applicant includes good character and an image of utmost confidence and trust. However, the record evidences that the appellant was removed from the Academy due to his admitted dishonest behavior during the Academy.

The Commission is also unconvinced by the appellant's argument that the appointing authority presumptively assumed that he has not been rehabilitated, and that only a psychiatric professional may evaluate the appellant for evidence of rehabilitation. There is no code, statute, or precedent that indicates that evidence of rehabilitation is the intent or purpose of a psychological examination. Moreover, a psychological evaluation does not and cannot alter the appellant's adverse employment history. Further, the appellant has failed to provide any evidence of rehabilitation. It is noted that prior to the imposition of a psychological examination, the appointing authority may remove an applicant from the eligible list based on an adverse employment history. *See In the Matter of A.S.H.* (CSC, decided February 15, 2021) (the Commission upheld the removal of an eligible's name from a Police Officer list, but noted that the passage of time and continuous sound judgment from the appellant could allow here to be considered for future employment as a Police Officer). In this matter, the PTC upheld the appellant's dismissal from the Academy in an April 3, 2024, decision, which was only 19 days prior to the April 22, 2024, closing date for the subject M0365F examination. Given the close proximity in time, the Commission finds that his employment record is adverse to the position sought.

Accordingly, the appointing authority has presented a sufficient basis to remove the appellant from the subject eligible list.

ORDER

Therefore, it is ordered that the appellant's 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 SEPTEMBER, 2026



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