

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4543

STATE OF NEW JERSEY

DATED: MAY 18, 2026

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 4543.

As reported by the committee, this bill permits Paterson and Newark police officers who were promoted following the February 23, 2019 police sergeants exam to have those promotions deemed as regular appointments.

On February 23, 2019, the New Jersey Civil Service Commission administered a promotional police sergeant exam. Following the exam, the commission's Division of Test Development, Analytics and Administration analyzed the examination's raw data results and recommended that, in accordance with a consent decree reached with the United States Department of Justice, as well as existing law, the last 10 exam questions should not be scored because they disproportionately affected Black and Hispanic candidates, revealing a disparity in racial minority and non-racial minority candidates' performance. The commission agreed and released the scoring results, which excluded the last 10 questions from scoring.

Following the commission's decision, a challenge of that decision was raised by several petitioners arguing that the commission's action was arbitrary and capricious, adversely impacted the examinees that followed the instructions, managed their time properly, and completed the exam in the allotted time and, therefore the test results should be nullified.

On August 22, 2025, an Appellate Division decision was issued requiring that the 2019 test results be invalidated, and a new exam be administered. Following the Appellate Division decision, the commission issued an order on November 10, 2025, which determined that the court's decision applied only to police officers in Paterson and Newark who took the 2019 exam and therefore ordered that only those officers from those cities who were promoted following that exam be required to retake the exam. The commission's order further stated that appointments from the police sergeant eligible lists resulting from the examination in Newark and Paterson, as well as any other appointments from subsequent police promotional lists of employees who were originally promoted from these police sergeant lists were deemed conditional. As a result of these decisions, over 100 police officers in Newark and Paterson may face demotions. The potential demotion of so many police

officers would negatively impact morale, disrupt the chain of command, compromise internal operations, and therefore pose a risk to the public safety of two of the State's largest cities. This potential risk to public safety poses an unnecessary and unacceptable risk to the citizens of this State.

This bill requires that any promotions determined to be conditional as a result of the final administrative action of the Civil Service Commission issued on November 10, 2025, In the Matter of Gabriele Spallacci, et al., CSC Docket No. 2026-1023, will be deemed to be regular appointments as of the date the original appointments were initially made. Such regular appointments will be considered to be permanent appointments following the individual's successful completion of any applicable working test period requirements. The personnel records of such appointees must be adjusted by the commission as may be necessary to reflect the original appointment dates.

As reported by the committee, Assembly Bill No. 4543 is identical to Senate Bill No. 4007, which was also reported by the committee on this date.