
EMPLOYMENT - NEW JERSEY

Ruroede v. Borough of Hasbrouck Heights

Supreme Court of New Jersey - July 1, 2013 - A.3d - 2013 WL 3284218

Non-civil service borough police officer sought judicial review of a decision of a hearing officer recommending his termination based on officer's engaging in conduct unbecoming a police officer and public employee, disorderly conduct, willful violations of departmental rules and regulations, dishonesty, untruthfulness, and withholding information. The Borough affirmed hearing officer's recommendation. Officer appealed. The Superior Court, Law Division, Bergen County, reinstated officer on basis that his due process rights had been violated at disciplinary hearing.

The Supreme Court of New Jersey held that:

- Trial court was required to conduct an independent, de novo review of the quantum and quality of evidence presented at disciplinary hearing;
- Failure to call eyewitnesses to altercation to testify at disciplinary hearing, and relying instead on witness statements, did not violate officer's due process rights;
- Appropriate remedy to account for trial court's failure to conduct an independent, de novo review of the quantum and quality of the evidence presented at disciplinary hearing was for Supreme Court to exercise its original jurisdiction over the matter; and
- There was sufficient, competent evidence to support conclusion that officer engaged in misconduct.

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