

RESOLUTION NO. RES-09-0162

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AUTHORIZING ACCESS TO
STATE AND FEDERAL SUMMARY CRIMINAL HISTORY
INFORMATION FOR EMPLOYMENT

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties and districts to access state and local summary criminal history information for employment or certification purposes; and

WHEREAS, Penal Code Sections 11105(b)(11) authorizes cities, counties and districts to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to Federal Bureau of Investigation; and

WHEREAS, Penal Code sections 11105(b)(11) and 13300(b)(11) require that there be as requirement or exclusion from employment or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code section 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, or governing body of a city, county or district to specifically authorize access to summary criminal history information for employment or certification purposes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONG BEACH DOES RESOLVE AS FOLLOWS:

Section 1. The City Council hereby authorizes the City of Long Beach Fire Department to access state and federal level summary criminal history information for employment purposes (including volunteers and contract employees) or certification for City of Long Beach Emergency Medical Technicians and may not disseminate the information to a private entity.

Section 2. The City of Long Beach shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment (including volunteers and contract employees) except that such conviction may be disregarded if it is determined that mitigation circumstances exist, or that the conviction is not related to the employment or volunteer in question.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of December 15, 2009, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, DeLong,
Schipske, Reyes Uranga, Gabelich.

Noes: Councilmembers: None.

Absent: Councilmembers: O'Donnell, Andrews, Lerch.

2812
City Clerk