

1 RESOLUTION NO. RES-19-0186

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING ACCESS TO
5 STATE AND FEDERAL SUMMARY CRIMINAL HISTORY
6 INFORMATION FOR EMPLOYMENT
7

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

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

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

18 WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require
19 the city council, board of supervisors, governing body of a city, county or district or joint
20 powers authority to specifically authorize access to summary criminal history information
21 for employment, licensing, or certification purposes.

22 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
23 follows:

24 Section 1. The City Council of the City of Long Beach hereby authorizes
25 the Office of the Long Beach City Prosecutor to access state and federal level summary
26 criminal history information for employment (including volunteers and contract
27 employees) purposes and may not disseminate the information to a private entity.

28 Section 2. The City of Long Beach shall not consider a person who has

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Lana Beach, CA 90802-4664

1 been convicted of a violent or serious felony or misdemeanor eligible for employment
2 (including volunteers and contract employees) except that such conviction may be
3 disregarded if it is determined that mitigation circumstances exist, or that the conviction is
4 not related to the employment or volunteer in question.

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

7 I hereby certify that the foregoing resolution was adopted by the City
8 Council of the City of Long Beach at its meeting of December 3, 2019 by the
9 following vote:

10
11 Ayes: Councilmembers: Pearce, Price, Supernaw, Mungo,
12 Andrews, Uranga, Austin, Richardson.

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15 Noes: Councilmembers: None.

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17 Absent: Councilmembers: Zendejas.

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22 City Clerk