

RESOLUTION NO. 2007-521

Adopted by the Sacramento City Council

July 17, 2007

AUTHORIZING ACCESS TO SUMMARY CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT, CERTIFICATION AND LICENSING PURPOSES.

BACKGROUND

- A. Penal Code Sections 11105(b)(10) and 13300(b)(10) authorize cities, counties, and districts to access state and local summary criminal history information for employment, licensing or certification purposes.
- B. Penal Code Section 11105(b)(10) 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 the Federal Bureau of Investigation.
- C. Penal Code Sections 11105(b)(10) and 13300(b)(10) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record.
- D. Penal Code Sections 11105(b)(10) and 13300(b)(10) 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, licensing, or certification purposes.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City of Sacramento is hereby authorized to access local, state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, or certification purposes and may not disseminate the information to a private entity.
- Section 2. The City of Sacramento shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment (including volunteers and contract employees), or licensing; except that such conviction may be disregarded if it is determined that mitigating circumstances exist, or that the conviction is not related to the employment, volunteer or license in question.

Adopted by the City of Sacramento City Council on July 17, 2007 by the following vote:

Ayes: Councilmembers, Fong, Hammond, McCarty, Pannell, Sheedy,
Tretheway, Waters, and Mayor Fargo.

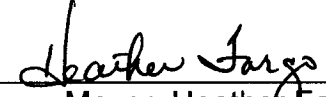
Noes: None.

Abstain: None.

Absent: Councilmember Cohn.

Attest

Shirley Concolino, City Clerk



Mayor, Heather Fargo