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CITY COUNCIL MEETING
SEPTEMBER 2, 1987

COUNCIL AUTHORIZES
USE OF CRIMINAL
HISTORY FOR EMPLOYMENT
AND LICENSING BACKGROUND
INVESTIGATIONS

RES. NO. 87-120

Council adopted Resolution No. 87-120 authorizing the City to access criminal history information for employment, licensing, or certification purposes.

CC-6

CC-22-1111

CC-34

Council was informed that, in order to conduct a more thorough investigation of potential employees and licensees, it would be helpful to have criminal history information compiled by the Attorney General made available to the applicable City departments.

The penal code of the State of California authorizes the Attorney General to make this information available when such access is authorized by the City Council when such history is required to implement policies which expressly refer to specific criminal conduct.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE
September 2, 1987 NC.

SUBJECT: AUTHORIZE USE OF CRIMINAL HISTORY FOR EMPLOYMENT AND LICENSING BACKGROUND INVESTIGATIONS

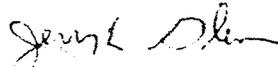
PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: The City Council authorize the City to access summary criminal history information for employment, licensing or certification purposes.

BACKGROUND INFORMATION: In order to conduct a more thorough investigation of potential employees and licensees, it would be helpful to have criminal history information compiled by the Attorney General made available to the applicable City departments.

The penal code of the State of California authorizes the Attorney General to make this information available when such access is authorized by the City Council when such history is required to implement policies which expressly refers to specific criminal conduct.

Respectfully submitted,



Jerry L. Glenn
Assistant City Manager

JLG:br

Attachment

RESOLUTION NO. 87-120

RESOLUTION AUTHORIZING ACCESS SUMMARY CRIMINAL HISTORY INFORMATION

WHEREAS 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, and

WHEREAS Penal Code Sections 11105(b)(10) and 13300(b)(10) requires 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, and

WHEREAS Penal Code Sections 11105(b)(10) and 13300(b)(10) requires 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.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Lodi and its departments are hereby authorized to access summary criminal history information for employment, licensing, or certification purposes, and

BE IT FURTHER RESOLVED THAT the City of Lodi shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment 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 or license in question.

Dated: September 2, 1987

I hereby certify that Resolution No. 87-120 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 2, 1987, by the following vote:

Ayes: Councilmembers - Hinchman, Reid, Snider & Olson (Mayor)

Noes: Councilmembers - None

Absent: Councilmembers - Pinkerton

Alice M. Reimche

Alice M. Reimche
City Clerk

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1987 SEP 25 AM 8:16

September 22, 1987

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

Alice M. Reimche
City Clerk
City of Lodi
230 West Elm Street
Lodi, CA 95240

Dear Ms. Reimche:

APPROVAL OF RESOLUTION

I have reviewed the City of Lodi's Resolution No. 87-120, and it appears to meet the requirements of California Penal Code Section 11105(b)(10). Your city may now obtain edited criminal offender record information for employment, licensing and certification purposes as authorized by the resolution.

A copy of this letter is being sent to our Applicant Control Program. They will contact you regarding the procedure for submitting applicant fingerprint cards and the fee schedule.

If you have any questions, please do not hesitate to call me at (916) 739-5006.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in cursive script, appearing to read "Joyce Ann Hudson".

JOYCE ANN HUDSON, Field Representative
Field Operations Program

cc: Dennis O'Connell, Applicant Program
Eleanor Hein, Records
Betty Soper, Mailroom