

RESOLUTION NUMBER R- 307333

DATE OF FINAL PASSAGE MAR 28 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REQUEST TO THE CALIFORNIA DEPARTMENT OF JUSTICE TO ADD THE NATIONAL CRIMINAL HISTORY CHECK (F.B.I.) TO THE SAN DIEGO POLICE DEPARTMENT'S LIVESCAN ACCOUNT.

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

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities 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; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) 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; and

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

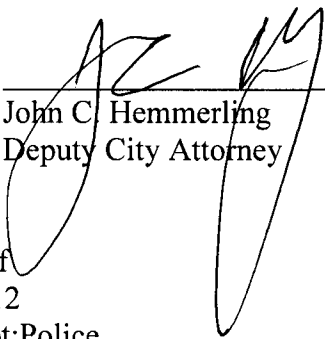
WHEREAS, the San Diego Municipal Code section 33.0101 requires the San Diego Police Department to oversee, regulate and license certain industries; NOW THEREFORE,

BE IT RESOLVED, that the City of San Diego is hereby authorized to access state and federal level summary criminal history information for licensing of Police Regulated activities,

specifically, nude entertainment establishments, adult entertainers, arcade establishments, auto dismantlers, card room establishments, card room employees, going out of business sale, curb painters, pawn shops, second hand dealers, firearms dealers, firearm employees, solicitors, holistic health practitioners, holistic health practitioner establishments, massage establishments, massage therapist, off-premise massage therapist, off-premise massage business, money exchanges, outcall nude entertainers, outcall nude entertainer business, peep show establishments, pool room establishments, bowling alleys, promoters, swap meets, tobacco retailers, and entertainment establishments.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



John C. Hemmerling
Deputy City Attorney

JCH:jdf
3/5/2012
Or.Dept:Police
Doc. No.: 299433

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAR 20 2012~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3.28.12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor