

RESOLUTION NUMBER R- 307666

DATE OF FINAL PASSAGE SEP 19 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING ACCESS TO SUMMARY
CRIMINAL HISTORY INFORMATION FOR
EMPLOYMENT PURPOSES

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;

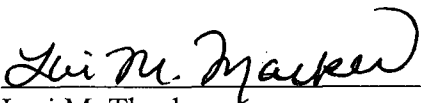
WHEREAS, access to summary criminal history information for employment purposes is required by the City of San Diego to implement San Diego Municipal Code section 23.0306;

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 employment (including volunteers and contract employees) purposes and may not disseminate the information to a private entity.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment; 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 in question.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Lori M. Thacker
Deputy City Attorney

LMT:mr
August 7, 2012
Or.Dept:Personnel
Doc. No. 415941

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 13 2012.

ELIZABETH S. MALAND
City Clerk

By Mary Sumaya
Deputy City Clerk

Approved: 9.19.12
(date)

J.S.
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor