

RESOLUTION NO. 10433

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE AUTHORIZING THE HUMAN RESOURCES DEPARTMENT ACCESS TO STATE AND FEDERAL LEVEL CRIMINAL HISTORY INFORMATION FOR EMPLOYMENT PURPOSES AND AUTHORIZING THE FIRE DEPARTMENT ACCESS TO STATE AND FEDERAL LEVEL CRIMINAL HISTORY INFORMATION FOR CERTIFICATION 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

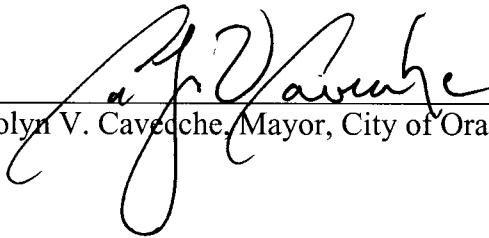
WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment, licensing, or certification based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

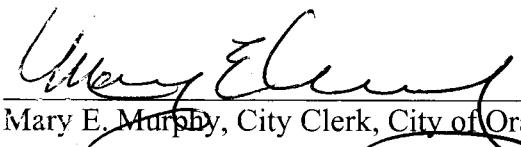
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE, that the Human Resources Department and Fire Department are hereby authorized access to state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, or certification for Emergency Medical Technician purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that the City of Orange shall not consider eligible for employment a person who has been convicted of a violent or serious felony or misdemeanor (including volunteers and contract employees), licensing or certification; except that such conviction may be disregarded if it is determined by the City that mitigating circumstances exist and/or that the conviction is not related to the duties of the employment, volunteer or contract person in question.

ADOPTED this 9th day of March, 2010


Carolyn V. Cavecche, Mayor, City of Orange

ATTEST:


Mary E. Murphy, City Clerk, City of Orange

I, MARY E. MURPHY, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the 9th day of March, 2010, by the following vote:

AYES:	COUNCILMEMBERS: Smith, Murphy, Cavecche, Dumitru, Bilodeau
NOES:	COUNCILMEMBERS: None
ABSENT:	COUNCILMEMBERS: None
ABSTAIN:	COUNCILMEMBERS: None


Mary E. Murphy, City Clerk, City of Orange