

**ROSS VALLEY FIRE DEPARTMENT
STAFF REPORT**

For the meeting of: May 8, 2013

To: Board of Directors

From: Jim Hanson, Battalion Chief

Subject: Authorization to Access to State and Federal Summary Criminal
History Information for Employment

RECOMMENDATION:

That the Board approve resolution 13-03, a resolution of the Ross Valley Fire Department Board of Directors authorizing access to state and federal summary criminal history information for employment.

BACKGROUND:

Historically, Ross Valley Fire Department has used background investigators to request background information from criminal records available to law enforcement agencies through fingerprint images. Any type of response from the Department of Justice was sent directly to the law enforcement agency. That information had to be forwarded to Ross Valley Fire Department by the law enforcement agency. Today a technology known as Live Scan is widely used and maintains a direct reporting connection to the requesting agency. This modern reporting protocol will maintain a direct link to the Ross Valley Fire Department.

DISCUSSION:

This resolution is one component of an application that will be forwarded to the Department of Justice to allow the Ross Valley Fire Department to initiate a Live Scan Request for pre-employment history checks. Live Scan is a system for the electronic submission of applicant fingerprints and the subsequent automated background check and response. Live Scan replaces the process of recording an individuals fingerprint patterns manually through a rolling process using ink and a standard 8"X8" fingerprint card. Fingerprints are digitized through an electronic process enabling the electronic transfer of data with the Department of Justice. Any response from the Department of Justice will come directly to the Ross Valley Fire Department.

Attachment: Resolution 13-03, Authorization to Access to State and Federal
Summary Criminal History Information for Employment

ROSS VALLEY FIRE DEPARTMENT

RESOLUTION 13-03

A RESOLUTION OF THE ROSS VALLEY FIRE DEPARTMENT BOARD OF DIRECTORS AUTHORIZATION TO ACCESS STATE AND FEDERAL SUMMARY CRIMINAL HISTORY INFORMATION

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

NOW, THEREFORE, BE IT RESOLVED that the Ross Valley Fire Department is hereby authorized to access state and federal summary criminal history information for employment (including volunteers and contract employees), licensing, or certification for position of Firefighter and or Paramedic and may not disseminate the information to private entity.

I hereby certify that the foregoing resolution was passed and adopted by the Ross Valley Fire Department Board of Directors on the 8th day of May, 2013 by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

Jeff Kroot, President

JoAnne Lewis, Administrative Assistant