

RESOLUTION NO. 2413-09

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR
AUTHORIZING ACCESS TO SUMMARY
FBI CRIMINAL HISTORY**

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties and districts 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 and districts 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 Town Council of the Town of Windsor to specifically authorize access to summary criminal history information for employment, licensing, or certification purposes.

NOW THEREFORE, BE IT RESOLVED, that the Town of Windsor is hereby authorized to access state and federal level summary criminal history information for employment (including volunteers and contract employees), licensing, or certification purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that the Town of Windsor shall not consider a person who has been convicted of a felony or misdemeanor involving moral turpitude eligible for employment (including volunteers and contract employees), 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, volunteer or license in question.

PASSED, APPROVED AND ADOPTED this 7th day of January 2009, by the following vote:

AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON, SCHOLAR
AND MAYOR GOBLE

NOES: NONE


ABSTAIN: NONE

ABSENT: NONE

ATTEST:



ROBIN R. GOBLE, MAYOR



MARIA DE LA O, TOWN CLERK