



# County of Sonoma

## State of California

Date: September 16, 2024

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

☐ 4/5 Vote Required

### **Resolution Of The Board Of Supervisors Of The County Of Sonoma Department Of Health Services, State Of California, Authorizing Access To State And Local Summary Criminal History Information For Employment**

**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, 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 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.

**Now, Therefore, Be It Resolved** that the County of Sonoma Department of Health Services is hereby authorized to access state and federal level summary criminal history information for employment County of Sonoma Department of Health Services (including

volunteers and contract employees) and may not disseminate the information to a private entity; and

**Be It Further Resolved** that the County of Sonoma Department of Health Services shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment **when such employment is prohibited by law**, but shall remain in compliance with California's Fair Chance Act, Gov Code 12952, which is intended to ensure fair hiring by prohibiting employers from asking about or considering an applicant's criminal history until after a conditional job offer has been made.

**Supervisors:**

Gorin:

Coursey:

Gore:

Hopkins:

Rabbit:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**