



## City Council Agenda Item

**City Council Meeting Date:** July 18, 2017

**TO:** Patrick Wiemiller, City Manager

**FROM:** Jeanette Bartels, Senior Human Resources Analyst  
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**SUBJECT:** Adoption of Resolution No. 6127(17) Authorizing Access to State and Federal Level Summary Criminal History Information for Employment Verification, Licensing, and/or Certification Purposes

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### **Recommendation:**

Staff recommends that City Council:

- 1) Adopt Resolution No. 6127(17), which will:
  - a. Authorize Human Resources access to both State (Department of Justice – DOJ) AND Federal (Federal Bureau of Investigation – FBI) level summary criminal history information for employment verification (including new hires, volunteers, and contract employees), licensing, and/or certification purposes; and
  - b. Rescind the previously approved criminal history investigation Resolutions No. 4983(02) and 5040(02).

### **Background:**

In 2002, the City Council adopted the Criminal History Investigation Policy/Procedure (Chapter 57 of the Personnel Procedures Manual) authorizing Human Resources to utilize Live Scan fingerprint services in the hiring process for new employees, volunteers and applicants for contract employment. All individuals applying for employment or volunteer positions must receive clearance through the Fingerprint Live Scan system prior to appointment. Live Scan technology enables the City of Lompoc (City) to obtain criminal history summary information on applicants electronically from the DOJ database. Access to federal-level criminal history information requires transmitting fingerprint images and related information to the DOJ who then transmits it to the FBI.

Currently, the City processes background checks through the DOJ database only, which only provides background information for criminal conduct occurring within the State of

California. Any criminal history occurring outside of California is not provided to the DOJ other than for volunteers and recreation employees. That means the City could potentially be unaware of the criminal history of applicants for employment and volunteer positions if those individuals committed crimes outside of California. (Applicants to the Police Department and other selected classifications are subject to a more thorough background investigation through both the DOJ and FBI databases.)

Additionally, Emergency Medical Technicians (EMTs) licensed/certified within the State of California are subject to both a DOJ and FBI criminal background checks. Mandated standards require the summary criminal history information for EMTs be in a centralized registry to better track the qualifications, work history and any criminal conduct of EMTs.

**Discussion:**

Staff recommends the Live Scan fingerprinting process be expanded to include the federal level summary FBI database for all employment, licensing, and certification purposes and inclusion of specifically the EMT certification as an application type. That would provide greater safeguards to ensuring individuals newly hired, or currently employed by the City in certain positions, are thoroughly screened for criminal conduct on a much broader, nationwide basis. It would also ensure verification of EMT certification.

**Fiscal Impact:**

The cost associated with recruitments are budgeted for in the Human Resources program (10700). Obtaining criminal history summary information through the Live Scan system has been included in the recruitment process since at least 2002. Adding the capability to expand the criminal history summary information beyond just the DOJ database has no fiscal effect on the cost of recruitments. Identifying criminal history of a possible recruit prior to employment will likely reduce possible future fiscal impacts; fiscal impacts that could be significant. Costs associated with the Live Scan process for the purposes of City recruitments have been incorporated into the proposed Biennial Budget FYs 2017-2019 as part of the Human Resources Program No. 10700 and in prior budget cycles as an ongoing, recurring cost of hiring staff.

**Conclusion:**

Adoption of Resolution No. 6127(17) will ensure compliance with the DOJ and FBI requirements, and will provide greater safeguards to ensure all individuals working or volunteering for the City are fully vetted.

Respectfully submitted,

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Jeanette Bartels, Senior Human Resources Analyst

**APPROVED FOR SUBMITTAL TO THE CITY MANAGER:**

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Gabriel Garcia, Human Resources Manager

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Patrick Wiemiller, City Manager

Attachment: [Resolution No. 6127\(17\)](#)