

MEETING DATE: February 1, 2010

AGENDA ITEM: Adoption of a Resolution Establishing the Need for
Receiving Federal Bureau of Investigation Criminal Background Checks
for New or Newly Hired Emergency Medical Technicians after July 1, 2010

ATTACHMENTS

	<u>Pages</u>
1. EMSA Letter dated August 26, 2009	1-2
2. Resolution 2010-R_____	3-4

EMERGENCY MEDICAL SERVICES AUTHORITY1930 9th STREET

SACRAMENTO, CA 95811-7043

(916) 322-4336 FAX (916) 324-2875



August 26, 2009

Chief Jeff Eastman
Culver City Fire Department
9770 Culver Blvd.
Culver City, CA 90232

Dear Chief Jeff Eastman:

Subject: Background checks for agencies that certify EMTs

This letter is a follow up to the one sent the first week of June informing you of the new background check requirements for agencies that certify EMTs as required by AB 2917.

In order for your agency to continue certifying EMTs after July 1, 2010 you will need to complete and submit the following to the California Department of Justice as soon as possible:

- 1) A completed Live Scan Request application, which must include a request to receive DOJ and FBI background check information
(<http://ag.ca.gov/fingerprints/pdf/LiveScanPacketRev06.pdf>)
- 2) A Subsequent Arrest Service Contract (designating the EMS Authority as the primary recipient and your agency as the secondary recipient)
(<http://ag.ca.gov/fingerprints/forms/subarr.pdf>).
- 3) A current resolution from your governing body which establishes the need for FBI background checks (The boilerplate resolution language previously provided may not be appropriate for the EMT certification and might result in your agency being denied access to FBI data. To obtain a sample of the currently approved resolution language, please contact Nichole at the Department of Justice, Record Security Unit at (916) 227-2720).

In order to "grandfather" EMTs currently certified by your agency (which would exempt them from having to complete an FBI background check), you will need to complete the following prior to July 1, 2010:

- 1) You need to complete the above steps as soon as possible.
- 2) All of your current EMTs will need to be fingerprinted to include subsequent arrest notification before July 1, 2010.
- 3) After July 1, 2010, all EMTs certifying with your agency for the first time will be required to complete DOJ and FBI background checks and have subsequent arrest notification with EMS Authority as the primary recipient and your agency as the secondary recipient.

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If you need additional assistance please contact me at amorrill@emsa.ca.gov or 916-322-4336 ext. 436, or for DOJ specific questions you may contact Martha Cook at Martha.Cook@doj.ca.gov, or 916-227-3809.

Thank you,

A handwritten signature in black ink, appearing to read 'Adam Morrill'.

Adam Morrill

Health Program Specialist

EMS Personnel Standards Unit

1
2 RESOLUTION NO. 2010-R_____

3
4 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
5 CULVER CITY, CALIFORNIA ESTABLISHING THE NEED
6 FOR RECEIVING FEDERAL BUREAU OF INVESTIGATION
7 CRIMINAL BACKGROUND CHECKS ON EMERGENCY
8 MEDICAL TECHNICIANS HIRED AFTER JULY 1, 2010

9 WHEREAS, Penal Code sections 11105(b)(11) and 13300(b)(11) authorize
10 cities, counties, and districts to access state and local summary criminal history information
11 for employment, licensing, or certification purposes; and

12 WHEREAS, Penal Code section 11105(b)(11) authorizes cities, counties, and
13 districts to access federal level criminal history information by transmitting fingerprint
14 images and related information to the Department of Justice to be transmitted to the
15 Federal Bureau of Investigation; and

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

19 WHEREAS, Penal Code sections 11105(b)(11) and 13300(b)(11) require the
20 city council, board of supervisors, or governing body of a city, county or district to
21 specifically authorize access to summary criminal history information for employment,
22 licensing, or certification purposes.

23 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY CULVER CITY
24 DOES RESOLVE AS FOLLOWS:

25 1. The City Council hereby authorizes the City to access state and
26 federal level summary criminal history information (a "background check") for employment
27 (including volunteers and contract employees), licensing of EMT-I's and/or EMT-II's, or
28 certification of EMT-I's and/or EMT-II's, and may not disseminate the information to any
private entity.

2. If a background check indicates an applicant for employment, licensing or certification as an EMT-I or EMT-II has been convicted of a felony or misdemeanor involving moral turpitude, such applicant shall not be eligible for employment, licensing or certification; 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, license, or certification in question.

3. This Resolution shall take effect as of the date of its adoption.

Approved and adopted this _____ day of _____, 2010.

Andrew Weissman, Mayor

ATTEST:

Martin R. Cole, City Clerk

APPROVED AS TO FORM:

Carol A. Schwab, City Attorney