County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

January 19, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF RESOLUTION AUTHORIZING ACCESS TO STATE AND LOCAL SUMMARY CRIMINAL HISTORY INFORMATION FOR EMERGENCY MEDICAL TECHNICIAN LICENSING (ALL DISTRICTS) (3 VOTES)

SUBJECT

The Los Angeles County Sheriff's Department (Department) is seeking approval of a Resolution allowing access to State and Federal criminal information, as well as transmitting fingerprint images and related information to the California Department of Justice (DOJ) to be transmitted to the Federal Bureau of Investigation (FBI).

The purpose of this resolution is to comply with AB 2917 requirements effective July 1, 2010, which demand that all Emergency Medical Technician (EMT) applicants submit to a DOJ and FBI criminal background check. AB 2917 also requires that the Department, as the certifying entity, and the Emergency Medical Services (EMS) Authority, receive subsequent arrest notifications from DOJ.

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Chair of the Board to sign the attached Resolution authorizing the Department to access State and Federal level summary criminal history information for the licensing of EMTs.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to allow the Department to remain in compliance and continue its EMT Program of approximately 140 personnel throughout the Department. Additionally, all newly assigned Search and Rescue members are required to attain EMT certification within the first year of acceptance to the Program. The DOJ requires that each certifying entity submit a resolution, adopted by their governing board, to the DOJ in order to continue certifying EMT applicants effective July 1, 2010.

Implementation of Strategic Plan Goals

The requested Board action is consistent with Los Angeles County's (County) Strategic Plan, Goal 1, Operational Effectiveness; and Goal 5, Public Safety.

FISCAL IMPACT/FINANCING

There is no direct fiscal impact. The Department already has fingerprinting capability, therefore, no additional equipment is required.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Department is required to be compliant with respect to all State EMS regulations, in addition to AB 2917. Licensed EMTs are required to have patient contact and treat injured persons. Personnel who have criminal histories that would preclude licensing would be identified during background checks. Any subsequent arrests would generate an automatic notification to the Department requiring action.

The attached Resolution was reviewed and approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This Resolution ensures that the Department continues its EMT Program, maintaining the utmost standards required for licensing. EMTs play an integral role as first responders during local and large scale emergencies. Their medical experience augments many services already provided by the County. The impact is purely administrative in nature meeting new legal mandates.

CONCLUSION

Upon Board approval, please instruct the Executive Office to return two copies of the originally signed Resolution and a copy of the adopted Board letter to the Department's Reserve Forces Bureau.

Sincerely,

LEROY D. BACA
SHERIFF

COUNTY OF LOS ANGELES RESOLUTION

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 licensing 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 licensing based on specific criminal conduct on the part of the subject of the record; and

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

NOW THEREFORE, BE IT RESOLVED, that the County of Los Angeles is hereby authorized to access state and federal level summary criminal history information for licensing of Emergency Medical Technician purposes and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED, that the County of Los Angeles shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for 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 licensee in question.

COUNTY OF LOS ANGELES

By _____
Gloria Molina
Chair, Board of Supervisors

ATTEST:
SACHI A. HAMAI
Executive Officer-Clerk
Los Angeles County
Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy County Counsel