

OAKLAND CITY COUNCIL
OFFICE OF THE CITY CLERK
RESOLUTION NO. 77822 - C.M.S

INTRODUCED BY COUNCIL MEMBER NADEL
2003 MAY 14 PM 4:52



A RESOLUTION DECLARING THE CITY OF OAKLAND'S POSITION ON THE FOLLOWING 2003 STATE LEGISLATION:

SUPPORT: SB 599 - Sealing records of persons who successfully complete statutory or non-statutory drug diversion

WHEREAS, the residents of the City of Oakland face numerous barriers to employment; and

WHEREAS, the people of California have clearly supported the rights of people working to overcome drug additions and make successful transitions to employment; and

WHEREAS, the California Penal Code section 1000.4 currently states that "(A) record pertaining to an arrest resulting in successful completion ...shall not be used in any way that could result in the denial of any employment ...", yet currently private investigators are able to circumvent the intent of 1000.4 by accessing court records to gain information from court files that can and has been used to deny employment; and

WHEREAS, Senate Bill ("SB") 599 amends the California State Penal Code to allow the court to seal the records of a person who has satisfactorily completed a drug diversion program if the judge presiding feels that it would be in the interests of justice; and

WHEREAS, the passage of this bill will remove an important barrier to employment for Oakland residents; now therefore be it

RESOLVED: that the City of Oakland declares its support for SB 599 (Sealing court records) by Senator Don Perata; and be it

FURTHER RESOLVED: that the City Council directs the City Manager and the City's legislative lobbyist to advocate the above positions in the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2003, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, REID, ~~ROSEN~~, WAN, and
PRESIDENT DE LA FUENTE - 7

NOES - ~~EXCUSED~~ QUAN - 1

ABSENT -

ABSTENTION - ATTEST:



CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California