

CITY OF OJAI

RESOLUTION NO. 25-__

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF OJAI, CALIFORNIA
TITLED**

“THE OJAI COMMUNITY AUTONOMY, RIGHTS, AND EQUALITY (CARE) POLICY ”

WHEREAS, the City of Ojai has long embraced its visitors and residents made up of diverse backgrounds, and welcomes, honors, and respects all members of the community regardless of religion, ancestry, ethnicity, nationality, disability, sex, gender identity, or sexual orientation; and

WHEREAS, both immigrant and American-born individuals and their families contribute greatly to the economic and social fabric of the City of Ojai; and

WHEREAS, the City seeks to foster trust between City officials and residents and visitors and to encourage cooperation between them and City officials, including law enforcement personnel, in furtherance of the public safety and due process for all; and

WHEREAS, the State of California offers legal protections for undocumented immigrants, disabled and/or neurodivergent individuals, and LGBTQ+ individuals and has further amended its constitution to enshrine protections for reproductive freedom;

WHEREAS, the City supports protections for undocumented immigrants, including but not limited to:

- The TRUST Act, Assembly Bill (“AB”) 4 (Chapter 570, Statutes of 2013), which limits the circumstances under which local law enforcement can detain individuals on behalf of federal immigration authorities;
- The TRUTH Act, AB 2792 (Chapter 768, Statutes of 2016) which ensures transparency and oversight regarding local law enforcement's communication with federal immigration authorities;
- The California Values Act, Senate Bill (“SB”) 54 (Chapter 495, Statutes of 2017), which limits the circumstances under which local law enforcement may use funds or personnel to support immigration enforcement and prevents local law enforcement from asking about an individual's immigration status, from sharing a person's personal information with immigration authorities, unless otherwise required or permitted by

- law, or from arresting anyone only for having a deportation removal order or for most other immigration violations;
- Welfare & Institutions Code § 831, which: (1) clarifies that juvenile court records and information are confidential regardless of a youth's immigration status; (2) makes clear that federal officials do not get automatic access to juvenile court records and must petition the juvenile court in order to be permitted access; and (3) states that a child's name and immigration status are protected by California's confidentiality laws and cannot be disclosed without court permission;
 - Government Code § 7285.1, which prohibits employers from voluntarily allowing ICE agents access to non-public areas of their workplaces or employee records without a judicial warrant; and
 - Government Code § 7285.2, which prohibits employers from allowing ICE agents to access, review, or obtain the employer's employee records without a subpoena or judicial warrant;

WHEREAS, the City supports protections for LGBTQ+ individuals, especially transgender members of the community, including but not limited to:

- Prohibition from discriminating against individuals on the basis of sex, gender identity, gender expression, sexual orientation, and transgender status. These laws also bar discrimination based on perceived sexual orientation or gender identity, and based on relationship to someone who is LGBTQ. Cal. Civil Code § 51; Cal. Gov. Code §§ 11135, 12926; 2 Cal. Code Reg. §§ 14000 et seq;
- SB 107 (Chapter 810, Statutes of 2022), which aims to protect transgender youth and their families from bans against gender-affirming care, particular those arriving in California from out of state; and
- California Civil Code § 1798.301, which provides that California supports access to gender-affirming medical care for both adults and young people;

WHEREAS, the City supports all protections for an individual's right to reproductive healthcare including but not limited to:

- The California Constitution, Article I, Section 1.1;
- AB 2223, which helps to ensure that pregnancy loss is not criminalized;
- AB 2091, which prohibits a health care provider from releasing medical information on an individual seeking abortion care in response to an out-of- state subpoena or request;
- AB 1242, which prohibits law enforcement and California corporations from cooperating with out-of-state entities regarding lawful abortions in the state;

- SB 523, which expands birth control access – regardless of gender or insurance coverage status – by requiring health plans to cover certain over-the-counter birth control without cost sharing and also prohibits employment-related discrimination based on reproductive health decisions;
- SB 1375, expands training options for nurse practitioners and certified nurse-midwives for purposes of performing abortion care;
- AB 657, which expedites licensure for health care practitioners that come to California to provide abortion care services;
- AB 2626, which prohibits specified licensing boards from suspending or revoking a license solely for performing an abortion in accordance with the licensee’s respective Practice Act;
- AB 2205, which requires Covered California plans to report annually the total amounts of funds collected in special accounts for abortion care which was established under the Affordable Care Act to hold premium payment of \$1 per member per month and from which claims for abortion care must be paid;
- SB 1142, which requires the establishment of an abortion care services website and an evaluation of the Abortion Practical Support Fund;
- SB 1245, which establishes a reproductive health pilot project in LA County to support innovative approaches and collaborations to safeguard abortion access;
- AB 1918, which creates the California Reproductive Health Scholarship Corps to recruit, train and retain a diverse workforce of health care professionals who will provide reproductive health services in underserved areas of the state;
- AB 2134, which establishes the California Reproductive Health Equity Program which will provide grants to providers who provide uncompensated care to patients with low incomes and those who face other financial barriers;
- AB 2586, which establishes the California Reproductive Justice and Freedom Fund to support community-based organizations in providing comprehensive reproductive/sexual health education, inclusive of abortion care, to disproportionately impacted communities;
- SB 245, which eliminates cost-sharing for abortion services; and
- AB 1666, which protects those in California from civil liability for providing, aiding, or receiving abortion care in the state;

WHEREAS, the City supports protections for disabled and neurodivergent individuals, including but not limited to:

- The California Fair Employment and Housing Act (FEHA), Government Code § 12900 et seq., which prohibits discrimination based on disability in employment, housing, and public accommodations, requires reasonable accommodations from

- employers with five or more employees, and provides broader protections than federal law;
- The Unruh Civil Rights Act, Civil Code § 51 et seq., which ensures equal access to public accommodations and business establishments for disabled individuals and prohibits discrimination by businesses that serve the public;
 - The California Disabled Persons Act, Civil Code § 54 et seq., which provides specific protections for disabled individuals in public places, ensures access to public facilities, and establishes penalties for interference with guide dogs and other assistive devices;
 - Government Code § 11135, which prohibits discrimination based on disability in any program or activity that receives state financial assistance and requires reasonable accommodations to ensure equal access;
 - Education Code § 56000 et seq., which implements the Individuals with Disabilities Education Act (IDEA) in California and ensures free appropriate public education for students with disabilities through individualized education programs;
 - Senate Bill 939 (Chapter 735, Statutes of 2024), which adds "neurodiversity" to protected categories in education and requires resources from the University of California and California State University's Neurodiversity and Learning Collaborative to be included by the 2025-26 school year;
 - Government Code § 12926.1, which defines disability broadly to include physical and mental impairments that limit major life activities, ensuring comprehensive protection for individuals with various types of disabilities;
 - Civil Code § 54.1, which establishes criminal penalties for intentionally injuring or disabling guide dogs, signal dogs, or service dogs, and provides civil remedies for victims of such acts;
 - Welfare and Institutions Code § 4500 et seq. (Lanterman Developmental Disabilities Services Act), which establishes rights and services for individuals with developmental disabilities and ensures access to appropriate services and supports; and
 - Government Code § 7295 et seq., which requires state agencies to make their electronic and information technology accessible to individuals with disabilities and establishes standards for digital accessibility.

WHEREAS, although robust and significant state laws provide legal protection to undocumented immigrants, disabled and/or neurodivergent individuals, and LGBTQ+ individuals, members of these groups face unprecedented discrimination, threats and hostile action, making them especially vulnerable members of our community;

WHEREAS, obstacles to reproductive healthcare threaten the rights of all, creating further vulnerability to undocumented immigrants, disabled and/or neurodivergent individuals, and LGBTQ+ individuals, making these rights intertwined; and

WHEREAS, the City adopts this policy to ensure the safety, dignity, and rights of immigrant, disabled and/or neurodivergent individuals, and LGBTQ+ residents, and individuals seeking reproductive healthcare by declaring our support for the relevant California legal protections; and

WHEREAS, the City also seeks to prevent the use of City funds or resources in requesting, collecting, maintaining, and disclosing of sensitive information, as well as to prohibit assistance with federal immigration enforcement, absent express exceptions; and

WHEREAS, no City resources or employees are to be used to enforce federal immigration law, and no City services will be denied to any undocumented residents, unless required by law; and

WHEREAS, such policies shall be applicable to all City departments, and it is respectfully requested that the Ventura County Sheriff's Department comply with these policies, thereby seeking to create a community free from fear in which individuals are assured that they can access the full range of City services, not only those of law enforcement; and

WHEREAS, in undertaking this resolution, the City is assuming an undertaking only to promote the general welfare. This resolution is not intended to create any new right for breach of which the City is liable in money damages to any person who claims that such breach proximately caused injury. This resolution shall not be construed to limit or proscribe any other existing rights or remedies possessed by such persons; and

WHEREAS, nothing in this resolution shall prohibit or otherwise restrict the City from complying with a valid warrant for a criminal offense issued by a federal or state judge, or other order evidencing a judicial determination of probable cause; and

WHEREAS, if any subsection, sentence, clause, or phrase of this resolution or application thereof, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution. To this end, the provisions of this resolution are severable.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI, CALIFORNIA, DOES HEREBY RESOLVE AND ORDER, AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The City Council declares that the City of Ojai is committed to fostering trust between City officials and residents and visitors to protect local resources, encouraging cooperation between the public and City officials, and ensuring public safety for all. In furtherance of this commitment, the City Council adopts the "Community Autonomy, Rights, and Equality (CARE) Policy", enclosed as Attachment "A".

SECTION 3. This resolution, as well as the State-mandated prohibitions related to enforcement of federal immigration law, apply to all City of Ojai departments, boards, commissions, and committees. The City Council also respectfully requests that the Ventura County Sheriff's Department honor these procedures when enforcing laws within the boundaries of the City of Ojai in the interest of administrative uniformity.

SECTION 4. Nothing in this resolution shall be construed or implemented to conflict with any prohibition, duty or obligation imposed by court order; City of Ojai policies, laws, or regulations; state law, including but not limited to the California Public Records Act; or federal law. This Resolution does not prohibit or restrict any City employee from sending to, or receiving from, federal immigration authorities information regarding citizenship or lawful or unlawful immigration status of any individual, or from requesting from federal immigration authorities immigration status information (lawful or unlawful) of any individual, or maintaining or exchanging such information with any other federal entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

SECTION 5. Sections 6 and 7 of Exhibit A shall not be approved or implemented unless and until: (1) the City Manager provides a report to the City Council on the fiscal impact of these sections and any staff or resources needed for this program; and (2) the City Council approves the program after reviewing such information.

SECTION 6. Effective Date. This resolution shall be effective immediately.

SECTION 7. Certification. The City Clerk shall certify to the adoption of this Resolution as required by law.

PASSED, APPROVED and ADOPTED this 24th day of June 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF OJAI, CALIFORNIA

Andy Gilman, Mayor

Date

ATTEST:

Weston Montgomery, Chief Deputy City Clerk

APPROVED AS TO FORM:

Matthew Summers, City Attorney

I, Weston Montgomery, Chief Deputy City Clerk of the City of Ojai, do hereby certify that the foregoing resolution, City of Ojai Resolution No. 25-, was passed and adopted by the Ojai City Council at its regular meeting on June 24, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Ojai on this 24th day of June, 2025.

Weston Montgomery, Chief Deputy City Clerk

ATTACHMENT A

The Ojai Community Autonomy, Rights, and Equality (CARE) Policy

Preamble

The City of Ojai reaffirms its commitment to ensuring the health, safety, and autonomy of all residents. Recognizing the importance of protecting personal healthcare decisions, safeguarding privacy, and fostering an inclusive and supportive community, this policy establishes comprehensive measures to uphold reproductive rights, protect immigrant residents, protect the rights of disabled and neurodivergent individuals, ensure access to gender-affirming care, and the rights of those individuals perceived to be in these protected classes. Through these actions, Ojai affirms its role as a City that values dignity, equity, and equality for all individuals.

Section 1: Definitions

- 1.1** "Administrative Warrant" - A document issued by ICE, CBP, or other immigration agency signed by an immigration officer. These do NOT authorize entry into private areas.
- 1.2** "City Resources" - Personnel time, equipment, facilities, databases, or funding.
- 1.3** "Gender Identity Care" includes all forms of healthcare related to gender identity, such as hormone replacement therapy, surgical procedures, mental health support, and general medical services.
- 1.4** "Judicial Warrant" - A court order signed by a federal Article III judge or federal magistrate judge based on probable cause.
- 1.5** "Immigration Status" covers undocumented residents, immigrants with Temporary Protected Status (TPS), Deferred Action for Childhood Arrivals (DACA) recipients, naturalized citizens, US born persons who look like immigrants and immigrants with legal permanent residency (green card holders).
- 1.6** "Immigration Status Information" - Data about citizenship, visa status, country of origin, or deportability.
- 1.7** "Reproductive Healthcare" includes access to abortion services, contraceptives, fertility treatments, pregnancy-related care, and all other services related to reproductive health and family planning.
- 1.8** "Valid Court Order or Warrant" means:
 - A warrant signed by a federal Article III judge or federal magistrate judge, OR
 - A court order from a state or federal court of competent jurisdiction, OR
 - As required by a validly issued criminal arrest warrant for violations of state or federal criminal law.

Section 2: Prohibitions Against Discrimination

2.2 The City of Ojai agencies shall not:

- Participate in the enforcement of any federal or state law that criminalizes or restricts access to reproductive healthcare or gender-affirming care for adults or minors, provided such care is delivered with the approval of a licensed healthcare provider and, in the case of minors, with parental consent in accordance with current California state law and the guidelines established by the World Professional Association for Transgender Health (WPATH).
 - **The World Professional Association for Transgender Health (WPATH)** is a globally recognized interdisciplinary organization dedicated to promoting evidence-based standards of care for transgender, nonbinary, and gender-diverse individuals. Established in 1979, WPATH develops and maintains the **Standards of Care (SOC)**, a widely accepted framework guiding medical, psychological, and social support for gender-affirming care. The SOC is based on decades of clinical research and best practices, ensuring that transgender individuals receive medically necessary, affirming, and ethical treatment. WPATH guidelines are widely recognized and endorsed by leading medical organizations, including the American Medical Association (AMA), American Psychiatric Association (APA), American Psychological Association (APA), American Academy of Pediatrics (AAP), Endocrine Society, World Health Organization (WHO), and American College of Obstetricians and Gynecologists (ACOG).
- Use City funds, resources, or personnel to assist in federal immigration enforcement activities including identifying individuals from photographs, home addresses or places of work or share personal or sensitive information about residents' immigration status, healthcare decisions, gender identity, disability status, neurodivergence status, or mental health information unless accompanied by a valid court order or warrant.

2.3 No City personnel shall:

- Collect, report, or disclose immigration status, reproductive healthcare information, gender identity information, disability status, neurodivergence status, or mental health information except as specifically required by:
 - California Penal Code sections requiring notification for violent felonies.
 - Court-ordered information sharing in active criminal cases.
 - Mandated reporting under California child protection laws.
 - Public records requests under the California Public Records Act for information already designated as public.

- Facilitate or assist with any federal or out-of-state actions that contradict this policy's protections for reproductive healthcare, immigrant rights, gender identity care, disability status, neurodivergence status, or mental health information.

Section 3: Healthcare Protection Measures

3.1 Reproductive Healthcare

- Ojai prohibits the use of City resources, personnel, or funds to enforce or comply with any federal or state laws that criminalize or restrict access to reproductive healthcare, including abortion services, contraceptives, and other family planning services, for adults or minors.
- In the case of minors, reproductive healthcare services must be provided with the approval of a licensed healthcare provider and parental consent, in accordance with current California state law.
- The City will not participate in investigations, prosecutions, or legal actions against individuals seeking or providing reproductive healthcare within Ojai City limits.

3.2 Gender-Affirming Care

- Ojai prohibits the use of City resources, personnel, or funds to enforce or comply with any federal or state laws that criminalize or restrict access to gender-affirming healthcare, including hormone replacement therapy, surgeries, and mental health services, for adults or minors.
- In the case of minors, gender-affirming healthcare must be provided with the approval of a licensed healthcare provider and parental consent, in accordance with current California state law and the guidelines established by the World Professional Association for Transgender Health (WPATH).
- The City will not in any manner, participate in investigations, prosecutions, or legal actions against individuals seeking or providing gender-affirming care within City limits.

3.3 Prohibition on Compliance with External Requests

A. Sensitive Locations

The following are designated as sensitive locations where immigration enforcement is discouraged:

- All city-owned health facilities.
- Licensed healthcare provider offices.
- Pharmacies dispensing reproductive healthcare.
- Mental health counseling centers.

B. Participation in Enforcement

- The City of Ojai will not recognize or enforce subpoenas, warrants, or requests from out-of-state entities seeking information or assistance regarding individuals who have traveled to Ojai for reproductive or gender-affirming healthcare.
- The City will not participate in investigations, prosecutions, or legal actions City personnel are prohibited from disclosing any information about individuals accessing these services information except as specifically required by:
 - California Penal Code sections requiring notification for violent felonies.
 - Court-ordered information sharing in active criminal cases.
 - Mandated reporting under California child protection laws.
 - Public records requests under the California Public Records Act for information already designated as public.

C. Support for Healthcare Providers and Individuals

- Ojai will ensure that local healthcare providers offering reproductive and gender-affirming healthcare services are protected under this policy, shielding them from legal threats and harassment as outlined herein.

The City shall work with trusted legal and advocacy organizations to provide resources for individuals and providers facing external legal threats due to these protected healthcare services, including free clinics for farm workers and immigrants.

Section 4: Immigration Protections

4.1 No Cooperation with Federal Enforcement

- Ojai prohibits the use of City resources, personnel, or funds to assist in federal immigration enforcement activities, including deportation raids, detentions, or investigations initiated by Immigration and Customs Enforcement (ICE) or similar entities.
- City officials are explicitly barred from sharing information about immigration status, personal data, or City service usage with federal agencies unless accompanied by a valid court order or warrant.

4.2 Prohibition on City Resources for Immigration Enforcement

- Ojai prohibits the use of City resources, personnel, or funds to assist in the mass deportation of Immigrants living in Ojai, including undocumented residents and those with legal status as well as those perceived to be immigrants, and are protected from local enforcement actions tied to federal immigration policies in line with the stated policies of County Sheriff's

Department.

- Ojai prohibits the use of City resources, personnel, or funds to assist in the persecution, arrest, or extradition of community resource groups and individuals who provide educational resources to the immigrant community.

4.3 Commitment to Resident Safety

- The City of Ojai affirms its commitment to ensuring that all immigrant residents and citizens perceived to be immigrants, regardless of status, can access City services, healthcare, and other community resources without fear of harassment or deportation.

Section 5: Prohibition on External Requests and Provider Protections

5.1 Non-Compliance with External Requests

- The City of Ojai will not recognize or enforce any subpoenas, warrants, or requests from out-of-state entities, federal agencies, or individuals seeking information, cooperation, or assistance in penalizing or prosecuting individuals or healthcare providers involved in legally accessing or providing reproductive or gender-affirming healthcare within City limits.
- City officials are expressly prohibited from sharing any information, assisting investigations, or taking any action that could facilitate external legal threats against individuals or healthcare providers under any circumstances.

5.2 Sanctuary Provisions for Healthcare Providers

- If a healthcare provider in the City offers reproductive or gender-affirming care that is legal in California, the City will not assist any outside government entity prosecute or investigate that provider.
- Ojai guarantees that no local resources, personnel, or funding will be used to comply with external legal actions against healthcare providers, ensuring they can operate free from harassment or legal repercussions tied to their professional services.

5.3 Absolute Confidentiality

- All information about individuals receiving care or healthcare providers offering services within Ojai will remain strictly confidential. City staff are prohibited from disclosing this information to any entity, ensuring the safety and privacy of all parties involved.

Section 6: Implementation Procedures

6.1 Staff Training

- All city employees shall receive annual training on this policy.
- Training materials available in English and Spanish.
- Department heads are responsible for ensuring compliance.

6.2 Document Verification

When presented with any warrant or court order, city staff shall:

- Request to examine the document
- Verify judicial signature and court seal
- Contact the your supervisor if uncertain
- Document all interactions

6.3 Information Requests

- City staff may only share information that is:
 - Already publicly available, OR
 - Required by California state law, OR
 - Authorized by valid court order or warrant.

Section 7: Compliance and Reporting

7.1 Annual Reporting

The City Manager shall report annually on policy implementation including:

- The number of information requests received and responses.
- Any violations or concerns regarding the policy in a manner that protects the confidentiality of personnel records under state and federal law.

7.2 Complaint Process

The City Manager shall:

- Establish procedure for reporting policy violations
- Create an independent review mechanism
- Develop a policy to protect for whistleblowers

7.3 Quick Reference Material for Staff

The City Manager shall develop quick-reference materials for staff, such as a wallet card that says:

IF ICE/IMMIGRATION AGENTS APPROACH:

1. Ask for identification and warrant
2. Do NOT provide information beyond what's publicly available
3. Say: "I need to consult with my supervisor"
4. Document: Time, agents present, requests made

REMEMBER: Administrative warrants ≠ Judicial warrants. You have the right to verify before complying.

SECTION 8: Interagency Coordination

8.1 County Coordination

- The City Manager shall work with the Chief of Police to ensure the City's policies are aligned with Ventura County Sheriff's Office policies possible wherever possible and in furtherance of the purpose and intent of this policy.
- The City Council respectfully requests the Chief of Police to collaborate with the City Manager on training for staff regarding this policy, including on de-escalation techniques for staff.

8.2 State and Federal Engagement

- The City Manager and/or the City Attorney shall monitor changes in state and federal law.
- The City Council may participate in municipal advocacy efforts via letters or adoption of a resolution, as they may deem appropriate.
- Regular policy updates may occur as needed.

SECTION 9: Policy Review

- This policy shall be reviewed every two years by the City Council.
- The City Council will consider input from community, legal experts, and staff.
- Updates may be made based on legal developments.

SECTION 10: Policy Limitations

This policy:

- Does NOT prevent federal agents from operating independently in Ojai.
- Does NOT provide legal immigration status.
- Does NOT guarantee protection from deportation.
- DOES limit city cooperation with immigration enforcement.
- DOES protect city resources from being used for immigration enforcement.

Conclusion

The Ojai Community Autonomy, Rights, and Equality (CARE) Policy reflects the City's commitment to supporting all of its residents by ensuring access to reproductive healthcare, protecting immigrant rights, the rights of disabled and neurodivergent individuals, and affirming the dignity of gender-diverse individuals. These measures reaffirm Ojai's values of equity, inclusivity, and community care.