

A RESOLUTION

Declaring the City of Santa Fe a Sanctuary City for Transgender People

WHEREAS, the Preamble of the City Charter declares: “We, the people of Santa Fe, a capital city for four centuries, a community with rich and lasting multi-cultural traditions and a history of tolerance towards all peoples, cultures, traditions, and lifestyle, recognize our right to define our way of life and our form of government;” and

WHEREAS, the City Charter also declares: “The human and civil rights of the residents of Santa Fe are inviolate and shall not be diminished or otherwise infringed.” and

WHEREAS, showcasing our diversity, the Williams Institute of the University of California at Los Angeles reports that 0.67% of the adult population of New Mexico identifies as transgender, and 2.62% of the state’s youth identify as transgender. In addition, New Mexico has the second highest percentage of transgender youth in the United States.

WHEREAS, as of the date of this resolution, New Mexico state law does not restrict access to gender-affirming care; and

WHEREAS, gender-affirming health care has been proven to be evidence-based, medically necessary, and life saving by the American Medical Association, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatrician, the Endocrine Society, the American Psychiatric Association, the World Professional Association for Transgender Health, amongst other institutions; and

WHEREAS, studies have shown that gender transition, including access to gender-affirming health care, improves the overall wellbeing of transgender people and access to

gender-affirming health care for youth is associated with better mental health outcomes and lower risks of suicide; and

WHEREAS, recent presidential executive orders restricting personhood for transgender persons threaten access to gender-affirming health care; and

WHEREAS, over 94 percent of LGBTQ+ youth surveyed by the Trevor Project in late 2021 said recent politics have negatively impacted their mental health, and 93 percent of transgender and nonbinary youth surveyed by the Trevor Project in 2022 said they have worried about transgender people being denied access to gender-affirming medical care due to state or local laws; and

WHEREAS, although health care providers can provide gender affirming care in the State of New Mexico, advocates report difficulty accessing medically necessary gender-affirming care.

WHEREAS, the City of Santa Fe has consistently declared its commitment to furthering transgender, nonbinary, and intersex equity and supports its growing gender diverse community; and

WHEREAS, health care professionals, as well as persons seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming health care in the City of Santa Fe, should be protected from attempts to impose criminal punishment, civil liability, or professional sanctions based on the laws of other states when gender-affirming health care is lawful in the State of New Mexico and meets the standards for good professional practice; and

WHEREAS, it is necessary and appropriate to exercise the authority vested in the City Council to protect health care professionals and persons lawfully seeking, receiving, and

assisting another individual in seeking or receiving gender-affirming health care in the City of Santa Fe.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the City of Santa Fe reiterates its commitment to transgender, nonbinary, and intersex rights and equal protects for transgender community members and declares itself a sanctuary city and a place of safety for transgender people.

AND BE IT FURTHER RESOLVED that the City of Santa Fe recognizes the importance of gender-affirming healthcare as a matter of health, privacy, and equality; and will ensure, to the greatest extent permitted by law, that those rights are upheld for all people living, working, or seeking services within the City of Santa Fe.