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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2023-3**

**INTRODUCED BY:**

Mayor Alan Webber

Councilor Amanda Chavez

Councilor Carol Romero-Wirth

Councilor Signe Lindell

Councilor Jamie Cassutt

**A RESOLUTION**

**RELATING TO FIREARMS; RECOGNIZING THAT CERTAIN CITY PROPERTIES ARE USED FOR SCHOOL-RELATED ACTIVITIES, WHICH MAKES THE CARRYING OF A DEADLY WEAPON ON SUCH PROPERTIES A FOURTH-DEGREE FELONY PURSUANT TO NMSA 1978, SECTION 30-7-2.1; AND DIRECTING THE CITY MANAGER TO WORK WITH STAFF TO POST NOTICE ON SUCH FACILITIES.**

**WHEREAS**, NMSA 1978, Section 30-7-2.1 provides that unlawful carrying of a deadly weapon on school premises consists of carrying a deadly weapon on school premises except by a peace officer, school security personnel, authorized personnel in a military training corps program or state-authorized hunter safety training instruction, a person in a school-approved program that actively involves the carrying of a deadly weapon, or a person older than 19 in a private automobile for lawful protection of person or property; and

**WHEREAS**, included in the definition of school premises is “any...public buildings or grounds, including playing fields and parking areas that are not public-school property, in or on which public school-related and sanctioned activities are being performed”; and

**WHEREAS**, whoever commits unlawful carrying of a deadly weapon on school premises

1 is guilty of a fourth-degree felony; and

2           **WHEREAS**, a number of City-owned spaces, buildings, and other property are both  
3 governmental and used for school-related and sanctioned activities and therefore are “sensitive  
4 places” as identified by the U.S. Supreme Court; and

5           **WHEREAS**, according to the Naval Postgraduate Schools Center for Homeland Defense  
6 and Security, between 1970 and June, 2022, there have been 2069 school shootings; and

7           **WHEREAS**, those 2069 shootings have resulted in 684 fatalities and 1937 injuries; and

8           **WHEREAS**, of the 2069 school shootings, 985 have occurred since the tragic incident at  
9 Sandy Hook Elementary School nearly ten years ago in December, 2012; and

10           **WHEREAS**, according to the K-12 School Shooting Database, New Mexico has  
11 experienced 22 school shootings between 1971 and June, 2022, resulting in six deaths and 10  
12 injuries; and

13           **WHEREAS**, in 2017, a 16-year-old student entered the Clovis-Carver Library in Clovis,  
14 NM and killed two people and wounded four others; and

15           **WHEREAS**, according to the Washington Post’s school shootings database, more than  
16 311,000 students at 331 schools have experienced gun violence at school since the Columbine High  
17 School shooting on April 20, 1999; and

18           **WHEREAS**, children who witness a shooting can be severely traumatized by the incident  
19 – trauma that can last a lifetime; and

20           **WHEREAS**, witnessing a shooting may impact the student’s ability to continue studies,  
21 may impact a student’s social and emotional growth, and may cause a student to become anxious  
22 or depressed; a student may even develop chronic psychiatric disorders as the result of witnessing  
23 a shooting; and

24           **WHEREAS**, since the shooting at Robb Elementary School in Uvalde, Texas, in which 19  
25 second through fourth grade students and two teachers were killed, there have been 50 school

1 shootings with four deaths and 32 injured.

2           **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
3 **CITY OF SANTA FE** that the Governing Body recognizes that the following City locations are  
4 used for school-related or sanctioned events and therefore the carrying of deadly weapons on those  
5 properties is a fourth-degree felony under NMSA 1978, Section 30-7-2.1:

- 6           1.       Santa Fe Community Convention Center and underground garage;
- 7           2.       Municipal Recreation Complex soccer fields;
- 8           3.       Genoveva Chavez Community Center;
- 9           4.       Main library;
- 10          5.       LaFarge library;
- 11          6.       Southside library;
- 12          7.       Facilities at which the Mayor’s Youth Advisory Board holds their regular  
13 meetings;
- 14          8.       Facilities to which students visit as part of a school-related or school-sanctioned  
15 activities including, but not limited to, the Buckman Direct Diversion; and
- 16          9.       Facilities in which school interns are working, as placed through the Santa Fe  
17 Public Schools, including, but not limited to, City Hall and Municipal Court.

18           **BE IT FURTHER RESOLVED** that the City Manager shall direct staff to post signage  
19 at the locations listed above that states that deadly weapons are prohibited pursuant to NMSA 1978,  
20 Section 30-7-2.1.

21           **BE IT FURTHER RESOLVED** that, when the City Manager identifies additional City  
22 locations that are used for school-related or sanctioned events, the City Manager may direct staff  
23 to post signage at those locations and events to state that deadly weapons are prohibited pursuant  
24 to NMSA 1978, Section 30-7-2.1.

25           **BE IT FURTHER RESOLVED** the City Manager shall consult with the Community

1 Health and Safety Department, including the Police Department, regarding the best method for  
2 enforcing NMSA 1978, Section 30-7-2.1 in relation to applicable City properties.

3 PASSED, APPROVED, and ADOPTED this 25<sup>th</sup> day of January, 2023.

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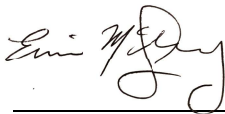
7 ALAN WEBBER, MAYOR

8 ATTEST:

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11 KRISTINE MIHELIC, CITY CLERK

12 APPROVED AS TO FORM:

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15 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2023/Resolutions/2023-3 (R) Firearms on City Property that are School Premises*