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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2000- 13

SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2000- 155

INTRODUCED BY:

**1835598**

**A JOINT CITY/COUNTY RESOLUTION**

**CONDEMNING THE PRACTICE OF FILING SLAPP SUITS AND CALLING FOR ACTION IN ORDER TO ABATE THE PRACTICE.**

**WHEREAS**, the members of the Santa Fe City Council and County Commission are duly elected representatives of the Santa Fe community; and

**WHEREAS**, the Governing Bodies support open government and appropriate citizen participation in local government decision making; and

**WHEREAS**, the Governing Bodies condemn the practice of filing Strategic Lawsuits Against Public Participation ("SLAPP suits"); and

**WHEREAS**, the Governing Bodies find that SLAPP suits are destructive of the citizens' constitutional rights to petition their government on matters of public concern; and

**WHEREAS**, the Governing Bodies find that it is appropriate to safeguard the public interest in the free exercise by all citizens of their First Amendment rights to communicate with their elected representatives without fear of intimidation or threats of costly litigation; and

**WHEREAS**, the Governing Bodies commit to vigorously advocate on behalf of the

1 citizens and their rights to express their views on any and all issues affecting Santa Fe, free  
2 from the threat of litigation; and

3 **WHEREAS**, the Governing Bodies commit to protecting its citizens' First Amendment  
4 Rights, and condemns the chilling effect upon its citizens caused by litigation or threatened  
5 litigation.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODIES OF THE CITY**  
7 **AND SANTA FE COUNTY** that: **1835599**

8 Section 1. The Santa Fe City Council and County Commission respectfully request  
9 that our local delegation work with the New Mexico State Legislature to enact a statute that is  
10 consistent with legal and constitutional requirements. Said statute should prohibit, deter and/or  
11 penalize the filing of lawsuits against citizens or against public officials claiming money  
12 damages for lawful activities in support of or in opposition to official actions by municipal  
13 authorities on matters of public concern.

14 Section 2. The Governing Bodies respectfully request that the Attorney General of  
15 the State of New Mexico formulate, sponsor and support the early enactment by the New  
16 Mexico legislature of a strict law to protect citizens from SLAPP suits.

17 Section 3. The Governing Bodies direct the City and County Attorneys and staff, in  
18 cooperation with concerned citizens, to encourage, promote and assist all efforts by the New  
19 Mexico Attorney General and by the New Mexico legislature to curtail and prevent SLAPP suits  
20 against citizens and or elected officials.

21 Section 4. The Governing Bodies hereby commit to carrying out their responsibility  
22 to be truly representative of all its citizens, even in the face of litigation or threatened litigation.

23 On behalf of the Governing Bodies, the City and County Managers will send  
24 correspondence to all governing bodies belonging to the Municipal League and the Association  
25 of Counties requesting that they pass similar resolutions and communicate such to their

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legislators.

1835600

PASSED, APPROVED and ADOPTED this 21<sup>st</sup> day of November, 2000.

CITY OF SANTA FE:

Larry A. Delgado  
LARRY A. DELGADO, MAYOR

ATTEST: Yolanda M. Vigil  
YOLANDA M. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Peter A. Dwyer  
PETER A. DWYER, CITY ATTORNEY

BOARD OF COUNTY COMMISSIONERS:

Richard Anaya  
RICHARD ANAYA, CHAIRMAN

ATTEST: Rebecca Bustamante  
REBECCA BUSTAMANTE, COUNTY CLERK



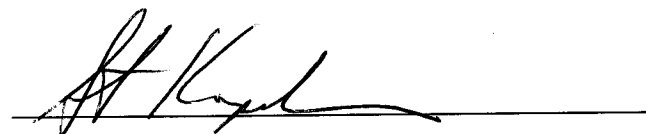
1138.853  
COUNTY OF SANTA FE ) SS  
STATE OF NEW MEXICO )  
I hereby certify that this instrument was filed  
for record on the 12 day of DEC A.D.  
20 00, at 9:03 o'clock am  
and was duly recorded in book 7835  
page 598-601 of the records of  
Santa Fe County.

Witness my Hand and Seal of Office  
Rebecca Bustamante  
County Clerk, Santa Fe County, N.M.  
Marcella Palazar  
Deputy

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APPROVED AS TO FORM:

1835601



STEVEN KOPELMAN, COUNTY ATTORNEY