

SENATE JOINT MEMORIAL

57TH LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2026

INTRODUCED BY

Senator Shannon D. Pinto and Senator Linda M. López

A JOINT MEMORIAL

REQUESTING THE NEW MEXICO LEGISLATIVE COUNCIL TO DIRECT THE APPROPRIATE LEGISLATIVE ENTITIES TO STUDY, ACKNOWLEDGE, AND DEVELOP A STATEWIDE PLAN OF ACTION TO ADDRESS THE FORCED AND COERCED STERILIZATION OF INDIGENOUS WOMEN AND WOMEN OF COLOR IN NEW MEXICO AND TO LAY THE GROUNDWORK FOR A STATE TRUTH AND RECONCILIATION COMMISSION.

A JOINT MEMORIAL

WHEREAS, between 1907 and 2018, Indigenous women and women of color across the United States—including in New Mexico—were subjected to forced or coerced sterilizations without their free, prior, and informed consent, often through the Indian Health Service (IHS) and contracted physicians; and

WHEREAS investigations in the 1970s revealed that between twenty-five and fifty percent of Indigenous women of childbearing age had been sterilized, with some of the highest concentrations of procedures occurring in the Indian Health Service regions of Albuquerque and the broader Southwest; and

WHEREAS federal and independent inquiries—including those conducted by the United States Government Accountability Office (1976) and Indigenous researchers such as Dr. Connie Pinkerton-Uri (Choctaw/Cherokee)—documented widespread violations of medical ethics and human rights, including sterilizations performed on minors, women under duress, and patients who were not provided fully informed consent; and

WHEREAS, these acts constitute grave violations of fundamental human rights, including the rights to health, bodily autonomy, family, and freedom from torture or cruel, inhuman, or degrading treatment, as recognized under the *Universal Declaration of Human Rights*, the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* adopted by the United Nations General Assembly, and the *Rome Statute of the International Criminal Court*, which classifies forced sterilization as a crime against humanity; and

WHEREAS the reproductive violence enacted upon Indigenous women through forced sterilization has caused generational trauma, demographic loss, and cultural devastation—harms

that many legal scholars and human rights experts argue rise to the level of biological and cultural genocide; and

WHEREAS, New Mexico, as a state with a majority-minority population and a deep legacy of Indigenous leadership, bears both a moral and historical responsibility to confront this unacknowledged chapter of United States and state history; and

WHEREAS transitional justice frameworks—including truth commissions established in Canada, South Africa, and the State of Maine—demonstrate that processes of truth-telling, reparative justice, and institutional reform can help heal communities and restore public trust in government; and

WHEREAS the establishment of a New Mexico Memorial for Victims of Forced Sterilization and the creation of a Truth and Reconciliation Commission would make New Mexico the first state in the nation to formally investigate, acknowledge, and redress the full scope of these violations; and

WHEREAS Indigenous women leaders, advocates, and survivors—alongside scholars and health practitioners—are organizing to develop a Native-led framework for reproductive justice and culturally grounded, trauma-informed care to ensure such violations never occur again; and

WHEREAS, in 2025, during the *United Nations Permanent Forum on the Rights of Indigenous Peoples*, the *American Indian Movement West* delegation met with *Dr. Albert K. Barume*, the *United Nations Special Rapporteur on the Rights of Indigenous Peoples*, to raise the issue of forced sterilization of Native American women and to call for a United Nations global study on the scale and scope of these crimes; and

WHEREAS, Dr. Barume has since agreed to conduct a national visit to the United States, including a commitment to visit New Mexico, to meet with communities and survivors, engage with state and tribal officials, and hold an international press conference on this issue, thereby positioning New Mexico as a focal point for global truth and healing;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO THAT:

1. The New Mexico Legislative Council be requested to direct the Legislative Health and Human Services Committee, in collaboration with and support from the New Mexico Indian Affairs Department, to conduct a comprehensive study into the history, scope, and continuing impacts of forced and coerced sterilization of Indigenous women and women of color in New Mexico.
2. **The study shall:**
 - A. Identify all known and potential cases of forced or coerced sterilization conducted within New Mexico through Indian Health Service facilities and contracted physicians;
 - B. Gather survivor testimony using trauma-informed and culturally safe protocols, in partnership with Indigenous- and community-led organizations;
 - C. Assess the availability and accessibility of reproductive health services for Indigenous

women and women of color in New Mexico today; and

D. Review and recommend educational, policy, and reparative measures to prevent future violations and promote community healing.

3. Upon completion of its study, the Legislative Health and Human Services Committee shall present its findings and recommendations to the Legislature no later than December 31, 2027, including proposals for:
 - A. The establishment of a New Mexico Truth and Reconciliation Commission on the Forced Sterilization of Indigenous Women and Women of Color;
 - B. The creation of a statewide Native-led reproductive justice pilot program focused on culturally grounded health, education, and healing services; and
 - C. The development of a public memorial and educational curriculum to ensure enduring remembrance and education of this history.

BE IT FURTHER RESOLVED

That the Legislature of the State of New Mexico formally acknowledges the forced sterilization of Indigenous women and women of color as a gross violation of human rights and an enduring wound on the moral conscience of the state and the nation.

BE IT FURTHER RESOLVED

That the Legislature affirms the sovereignty, dignity, and healing of survivors and their descendants, and commits to working in full partnership with tribal governments and Indigenous-led organizations to ensure truth, justice, and non-repetition.

BE IT FURTHER RESOLVED

That copies of this memorial be transmitted to the Governor of New Mexico, the New Mexico Indian Affairs Department, the Department of Health, the Legislative Health and Human Services Committee, Indigenous-led organizations throughout the state, and the New Mexico Congressional Delegation.