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Committee: Committee on Public Safety and Wellness **Status:** Passed Finally

Ordinance amending Title 6: Conduct, Article 1: Regulated Rights and Actions by adding a new Chapter 630 Providing for the De-Prioritization of Enforcement of Crimes Based on Identity Rather Than Conduct.

WHEREAS, every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination; and,

WHEREAS, in 2011 Pittsburgh City Council proclaimed Pittsburgh a Human Rights City as part of the Human Rights City Alliance; and,

WHEREAS, in 2020 Pittsburgh committed itself to being a welcoming city for members of the LGBTQIA+ Community through its creation of the LGBTQIA+ Commission; and,

WHEREAS, in 2023 Pittsburgh City Council declared the City of Pittsburgh a sanctuary city for Gender-Affirming Healthcare; and,

WHEREAS, on June 1 of this year, in a proclamation for Pittsburgh Pride Day, Pittsburgh City Council reaffirmed its commitment to building a city that is inclusive, equitable, and welcoming for all, and acknowledged that the work of achieving full equality and safety for all members of the LGBTQIA+ community must continue with urgency, compassion, and solidarity; and,

WHEREAS, these continuing commitments compel the City of Pittsburgh to safeguard the civil rights of its residents; and,

WHEREAS, those civil rights are increasingly under threat for the LGBTQIA+ community; and,

WHEREAS, multiple states have passed or are advancing laws restricting drag performance, banning the display of pride flags on government property, and banning or limiting access to gender-affirming care; and,

WHEREAS, in 2025, presidential executive orders have sought to ban gender-affirming care for persons 18 years of age and younger, prevent school staff from using students' preferred pronouns and limit classroom discussion on racism and equity, and prevent transgender athletes from participating in collegiate sports; and,

WHEREAS, local medical providers such as UPMC have already denied transgender Pittsburgh residents' gender-affirming care allegedly in response to new federal directives; and,

WHEREAS, these threats must be met by the City of Pittsburgh with unwavering solidarity for the LGBTQIA+ community and with action to ensure Pittsburghers are not criminalized or discriminated against for being queer;

The Council of the City of Pittsburgh hereby enacts as follows:

The Pittsburgh Code, Title 6: Conduct, Article 1: Regulated Rights and Actions, is hereby supplemented to add a new Chapter 630 De-Prioritization of Enforcement of Crimes Based on Identity Rather Than Conduct, as follows:

Chapter 630 - Enforcement Limitations Regarding Crimes Based on Identity Rather Than Conduct

630.01 Definitions

"Protected class" means any categorization, classification, or other grouping of one or more person(s) legally protected from discrimination under the terms of Section 651.02a of this code.

630.02 De-Prioritization of Enforcement of Crimes Based on Identity Rather Than Conduct

If certain conduct that is otherwise legal but for the actor's identification or association with a protected class ever becomes illegal nationwide or in the Commonwealth of Pennsylvania, the Council of the City of Pittsburgh instructs all city officials and law enforcement agencies to deprioritize enforcement of such crimes, penalties, and collateral consequences to the furthest extent possible.

Examples of conduct for which enforcement shall be deprioritized include but are not limited to:

a. Expressing sexual orientation, gender identity, or gender expression through means including but not limited to a chosen name, a chosen gender identity, attire, or appearance.
b. Engaging in speech or expression including but not limited to drag performance, the display of Pride flags, the dissemination of books or literature, and holding meetings or discussions.

c. Using restroom facilities in correlation with an individual's gender identity.
d. Engaging in teaching, parenting, and caregiving.
e. Engaging in consensual sexual activities between adults.
f. Seeking and obtaining gender-affirming medical care.
g. Seeking and obtaining legal documentation identifying an individual by their chosen name and/or gender identity.
h. Participating in athletic activities or leagues in correlation with an individual's gender identity.
i. Seeking and obtaining housing and/or employment.