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2 Councilmember Trayon White, Sr.

Councilmember Brooke Pinto

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5 Councilmember Christina Henderson
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8 A PROPOSED RESOLUTION
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 To declare the existence of an emergency with respect to the need to provide authority to the
17 Mayor to extend the declaration of public emergencies related to the opioid crisis and
18 juvenile crime.
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20 RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
21 resolution may be cited as the “Opioid Crisis and Juvenile Crime Public Emergencies Extension
22 Authorization Emergency Declaration Resolution of 2023”.

23 Sec. 2. Opioid crisis.

24 (a) As recognized by the Council of the District of Columbia in the Sense of the Council
25 on the Opioid and Fentanyl Epidemic Resolution of 2023, effective November 7, 2023 (Res. 25-
26 342), opioids have inflicted profound harm on communities within the District and across the
27 nation, causing staggering mortality rates, strain on the healthcare system, transmission of
28 infectious diseases through needle sharing, adverse effects on families and communities,
29 economic burdens, and treatment barriers.

30 (b) Between 2018 and 2022, opioid-related fatal overdoses in the District have more than
31 doubled, from 213 to 461 lives lost per year. Between January and July 2023, opioid fatalities
32 averaged 42 fatalities per month, up from 38 per month in 2022.

33 (c) Fentanyl and its analogs, potent synthetic opioids, were linked to 96% of the opioid-
34 related fatal overdoses in the District in 2022. In 2023 to date, there has been an increasing
35 percentage of these substances, where fentanyl and its analogs are now linked to 98% of
36 overdose deaths.

37 (d) People who use other drugs are also at risk of fentanyl deaths, as fentanyl pervades
38 the supply of illegal drugs. Many people who use drugs have managed their addictions for years,
39 yet they too can—and often do—overdose and die when their drugs are laced with even small
40 amounts of fentanyl and its analogs due to the potency of these opioids.

41 (e) Opioid deaths in the District fall most heavily among Blacks, males, and residents of
42 Wards 5, 7, and 8, underscoring that this crisis raises health equity and systemic concerns.

43 (f) Opioid abuse is an imminent threat to the health, safety, and welfare of District
44 residents that requires emergency protective actions be undertaken by the District government.

45 (g) On November 13, 2023, the Mayor issued Order 2023-141, which declared a public
46 emergency regarding the opioid crisis. The declaration of emergency allows District agencies to
47 respond more flexibly, cooperatively, and expeditiously to the opioid crisis. In particular, the
48 Mayor’s Order directs agencies to take steps to improve information sharing in order to allow
49 them to more quickly identify communities heavily affected by opioid-linked fatalities and to
50 better provide services and care to those communities.

51 (h) However, under District law, the emergency declaration may not extend 15 days
52 without Council authorization. Without such Council authorization, the enhanced authorities of
53 District agencies will expire.

54 (i) It is therefore important that the Mayor be authorized to extend the public emergency
55 regarding the opioid crisis beyond November 28, 2023, and that District agencies retain their

56 enhanced authorities under the public emergency to respond to the opioid crisis, to continue to
57 address this ongoing threat to the health, safety, and welfare of District residents.

58 (j) In addition, to ensure that the scope of public health circumstances that may constitute
59 a public emergency under the District’s public emergency law aligns with the Council’s intent, it
60 is important to amend the public emergency law to clearly include within its scope the full
61 breadth of public health circumstances that may warrant the declaration of a public emergency.

62 Sec. 3. Juvenile crime.

63 (a) The District is experiencing an increase in violent crime, particularly among its youth.
64 In the first nine months of 2023, there have been 458 arrests of juveniles for robbery, including
65 carjacking, homicide, or assault with a dangerous weapon—a number which is already 10%
66 more than the total number of such arrests in all of 2022. A total of 151 juveniles have been
67 arrested for carjackings, based on the most serious charge or “top charge,” which represents one-
68 third of all carjacking arrests. There has also been a marked increase in the number of juvenile
69 girls arrested for engaging in dangerous criminal activity.

70 (b) The number of District youth victimized by violent crime has also increased
71 significantly. Between January and October 2023, 97 juveniles suffered gunshot wounds,
72 including 15 homicides, a 9% increase from the same period in 2022. In just the last six weeks,
73 five youth under the D.C. Superior Court’s Family Court Social Services Division (CSSD)
74 electronic monitoring have been killed. This violence is having a devastating impact on victims,
75 their families, communities, and the District as a whole.

76 (c) On November 13, 2023, the Mayor declared a public emergency regarding juvenile
77 crime. The declaration of emergency allows District agencies to respond more flexibly,
78 cooperatively, and expeditiously to issues related to juvenile crime.

79 (d) Among other things, the Order directs the Department of Youth Rehabilitation
80 Services (DYRS), the Deputy Mayor for Public Safety and Justice (DMPSJ), and the Office of
81 Contracting and Procurement (OCP) to take steps to increase capacity for youth in DYRS’s
82 custody. Specifically, the Order directs the agencies to work to procure additional placements for
83 youth at shelter homes, foster homes, and secure facilities outside of DYRS’s facilities. The
84 Order also directs DYRS to work with CSSD to improve monitoring and response for youth who
85 are subject to electronic monitoring. In addition, the Order directs DMPSJ and other relevant
86 agencies to deploy roving Safe Passage teams and additional “Public Safety Go Teams” to
87 neighborhoods experiencing the highest levels of youth violence.

88 (e) However, under District law, the emergency declaration may not extend 15 days
89 without Council authorization. Without such Council authorization, the enhanced authorities of
90 District agencies will expire.

91 (f) It is therefore important that the Mayor be authorized to extend the public emergency
92 regarding juvenile crime, and that District agencies retain their enhanced authorities under the
93 public emergency to respond to issued related to juvenile crime, to continue to address this
94 ongoing threat to the health, safety, and welfare of District residents and visitors, and in
95 particular our youth.

96 Sec. 3. The Council of the District of Columbia determines that the circumstances
97 enumerated in section 2 constitute emergency circumstances making it necessary that the Opioid
98 Crisis and Juvenile Crime Public Emergencies Emergency Amendment Act of 2023 be adopted
99 after a single reading.

100 Sec. 4. This resolution shall take effect immediately.