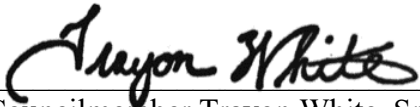
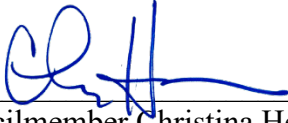


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2 Councilmember Trayon White, Sr.



3 Councilmember Brooke Pinto

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5 Councilmember Christina Henderson

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9 A PROPOSED RESOLUTION

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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 _____
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17 To declare the existence of an emergency with respect to the need to amend the District of
18 Columbia Public Emergency Act of 1980 to clarify the types of circumstances that may
19 constitute a public emergency and to authorize the Mayor to extend the duration of the
20 public emergencies related to the opioid crisis and juvenile crime, to authorize the Mayor
21 to waive the requirements of Title IV of the Procurement Practices Reform Act of 2010
22 in exercising her authority under the public emergencies related to the opioid crisis and
23 juvenile crime, and to require the Mayor to provide written notice to the Council before
24 extending the duration of the public emergencies or waiving the requirements of Title IV
25 of the Procurement Practices Reform Act of 2010.

26
27 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 resolution may be cited as the “Opioid Crisis and Juvenile Crime Public Emergencies Extension
29 Authorization Emergency Declaration Resolution of 2024”.

30 Sec. 2. Opioid crisis.

31 (a) As recognized by the Mayor in Mayor’s Order 2023-141, dated November 13, 2023
32 (Declaration of Public Emergency: Opioid Crisis and Declaration of Public Emergency: Juvenile
33 Crime) and the Council of the District of Columbia in the Sense of the Council on the Opioid and
34 Fentanyl Epidemic Resolution of 2023, effective November 7, 2023 (Res. 25-342; 70 DCR
35 15048), opioids have inflicted profound harm on communities within the District and across the
36 nation, causing staggering mortality rates, strain on the healthcare system, transmission of

37 infectious diseases through needle sharing, adverse effects on families and communities,
38 economic burdens, and treatment barriers.

39 (b) Between 2018 and 2022, opioid-related fatal overdoses in the District more than
40 doubled, from 213 to 461 lives lost per year. Between January and November 2023, there were
41 474 fatal overdoses, an average of 44 deaths per month compared to 38 per month in 2022.

42 (c) Fentanyl and its analogs, potent synthetic opioids, were linked to 96% of the opioid-
43 related fatal overdoses in the District in 2022. In 2023, there was an increasing percentage of
44 these substances linked to death, with fentanyl and its analogs linked to 98% of the deaths.

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

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

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

53 (g) On November 13, 2023, the Mayor issued Mayor's Order 2023-141, which declared a
54 public emergency regarding the opioid crisis. That declaration of emergency allowed District
55 agencies to respond more flexibly, cooperatively, and expeditiously to the opioid crisis. Pursuant
56 to amendatory subsection (c-1)(1) of section 2(b) of the Opioid Crisis and Juvenile Crime Public
57 Emergencies Extension Authorization Emergency Amendment Act of 2023, that Mayor's Order
58 could not be extended beyond February 15, 2024, and, absent Council action to extend the
59 Mayor's authority, expired on that date.

60 (h) Since the issuance of the Mayor’s Order, the Office of the Deputy Mayor for Health
61 and Human Services (“DMHHS”) and cluster agencies have worked with the Opioid Abatement
62 Advisory Commission to identify and plan for grants and contracts to further advance the
63 District’s opioid response. Several of those grants and contracts are now ready to be awarded and
64 expedited procurement and grant-making authority is necessary to allow the District to respond
65 to the opioid crisis with speed and urgency.

66 (i) Therefore, on February 27, 2024, the Mayor issued Mayor’s Order 2024-035, which
67 declared a public emergency regarding the opioid crisis. That declaration of emergency provides
68 District agencies with authority to expedite procurement and the issuance of grants tailored to
69 respond to the public emergency.

70 (j) However, under District law, the public emergency declaration may not extend beyond
71 15 days without Council authorization. Without such Council authorization, the enhanced
72 authorities of District agencies will expire.

73 (k) It is therefore important that the Mayor be authorized to extend the public emergency
74 regarding the opioid crisis beyond March 13, 2024, and that District agencies retain their
75 enhanced authorities under the public emergency to respond to the opioid crisis, to continue to
76 address this ongoing threat to the health, safety, and welfare of District residents.

77 Sec. 3. Juvenile crime.

78 (a) As recognized by the Mayor in Mayor’s Order 2023-141, dated November 13, 2023
79 (Declaration of Public Emergency: Opioid Crisis and Declaration of Public Emergency: Juvenile
80 Crime), the District has experienced an increase in violent crime, including concerning trends
81 among its youth. In 2023, there were 552 arrests of juveniles for robbery, including carjacking,
82 homicide, or assault with a dangerous weapon, a number which is 45% more than the total

83 number of such arrests in all of 2022. For 143 of those youth (26%), that arrest was their first
84 arrest. Last year, more than 100 juveniles were arrested for carjackings, based on the most
85 serious charge or “top charge.” This year, juveniles have been arrested for over half of the
86 District’s carjacking arrests, representing 11 out of 18 carjacking arrests thus far. There has also
87 been a marked increase in arrests of younger children aged 11-12.

88 (b) The number of District youth victimized by violent crime has also increased
89 significantly. In 2023, 109 juveniles suffered gunshot wounds, including 16 homicides, a 4.6%
90 increase from 2022. Seven juveniles suffered gunshot wounds in the first eight weeks of this
91 year. This violence is having a devastating impact on victims, their families, communities, and
92 the District as a whole.

93 (c) On November 13, 2023, the Mayor, by Mayor’s Order 2023-141, declared a public
94 emergency regarding juvenile crime. That declaration of emergency allowed District agencies to
95 respond more flexibly, cooperatively, and expeditiously to issues related to juvenile crime.

96 (d) Among other things, Mayor’s Order 2023-141 directed the Department of Youth
97 Rehabilitation Services (“DYRS”), the Deputy Mayor for Public Safety and Justice (“DMPSJ”),
98 and the Office of Contracting and Procurement (“OCP”) to take steps to increase capacity for
99 youth in DYRS’s custody. Specifically, Mayor’s Order 2023-141 directed these agencies to work
100 to procure additional placements for youth at shelter homes and secure facilities outside of
101 DYRS’s facilities. Mayor’s Order 2023-141 also directed DYRS to work with CSSD to improve
102 monitoring and response for youth who are subject to electronic monitoring. In addition,
103 Mayor’s Order 2023-141 directed DMPSJ and other relevant agencies to deploy roving Safe
104 Passage teams and additional “Public Safety Go Teams” to neighborhoods experiencing the
105 highest levels of youth violence.

106 (e) Pursuant to amendatory subsection (c-1)(1) of section 2(b) of the Opioid Crisis and
107 Juvenile Crime Public Emergencies Extension Authorization Emergency Amendment Act of
108 2023, that Mayor’s Order could not be extended beyond February 15, 2024, and, absent Council
109 action to extend the Mayor’s authority, expired on that date.

110 (f) On February 27, 2024, the Mayor issued Mayor’s Order 2024-035, which declared a
111 public emergency regarding juvenile crime. That declaration of emergency provides District
112 agencies with authority to expedite procurement and the issuance of grants tailored to respond to
113 the public emergency.

114 (g) Specifically, DYRS, in consultation with the Deputy Mayor for Public Safety and
115 Justice and the Office of Contracting and Procurement, intends to utilize this authority to
116 implement measures to increase capacity across the continuum of placements for youth in its
117 custody, including:

118 (1) Procuring additional placements for youth at shelter homes, group homes,
119 supervised independent living facilities, secure facilities, residential treatment centers,
120 psychiatric residential treatment centers, and foster homes;

121 (2) Engaging in cooperative agreements for programs and placements for detained
122 and committed youth, including rehabilitative, therapeutic, substance-abuse, and trauma-
123 informed programs; and

124 (3) Incentivizing private providers to open additional shelter homes, group homes,
125 and shelter beds for girls.

126 (h) However, under District law, the public emergency declaration may not extend
127 beyond 15 days without Council authorization. Without such Council authorization, the
128 enhanced authorities of District agencies will expire.

129 (i) It is therefore important that the Mayor be authorized to extend the public emergency
130 regarding the opioid crisis beyond March 13, 2024, and that District agencies retain their
131 enhanced authorities under the public emergency to respond to issues related to juvenile crime,
132 to continue to address this ongoing threat to the health, safety, and welfare of District residents
133 and visitors, and in particular our youth.

134 (j) To ensure transparency, the bill requires the executive to publicly post any grants
135 awarded or contracts entered using the authority granted by the bill within 15 days after
136 awarding or entering them.

137 Sec. 4. The Council of the District of Columbia determines that the circumstances
138 enumerated in sections 2 and 3 constitute emergency circumstances making it necessary that the
139 Opioid Crisis and Juvenile Crime Public Emergencies Extension Authorization Emergency
140 Amendment Act of 2024 be adopted after a single reading.

141 Sec. 5. This resolution shall take effect immediately.