

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2023-141
November 13, 2023

SUBJECT: Declaration of Public Emergency: Opioid Crisis and
Declaration of Public Emergency: Juvenile Crime

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in the Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11), in accordance with section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304, it is hereby **ORDERED** that:

I. FINDINGS: NATURE AND SCOPE OF EMERGENCIES RELATING TO OPIOIDS AND YOUTH VIOLENCE

- A. As the District of Columbia assesses the lingering effects of the COVID-19 pandemic and plans for and facilitates a strong comeback for our students and residents of every age, our businesses, our neighborhoods, and our cultural lives, two separate issues have persisted and worsened to crisis levels: a deadly opioid epidemic and youth violence.
- B. Although each of these urgent situations is, to some extent, geographically concentrated, the nature of the two emergencies demands citywide responses.

II. FINDINGS AND DECLARATION: NATURE OF THE PUBLIC EMERGENCY—OPIOID CRISIS

- A. As recognized by the Council of the District of Columbia in the Sense of the Council on the Opioid and Fentanyl Epidemic Resolution of 2023, Res. 25-342, effective November 7, 2023, opioids have inflicted profound harm on communities within the District and across the nation, causing staggering mortality rates, strain on the healthcare system, transmission of infectious diseases through needle sharing, adverse effects on families and communities, economic burdens, and treatment barriers.
- B. Between 2018 and 2022, opioid-related fatal overdoses in the District have more than doubled, from 213 to 461 lives lost per year. Between January and July 2023, opioid fatalities averaged 42 fatalities per month, up from 38 per month in 2022.

- C. Fentanyl and its analogs, potent synthetic opioids, were linked to 96% of the opioid-related fatal overdoses in the District in 2022. In 2023 to date, there has been an increasing percentage of these substances, where fentanyl and its analogs are now linked to 98% of overdose deaths.
- D. People who use other drugs are also at risk of fentanyl deaths, as fentanyl pervades the supply of illegal drugs. Many people who use drugs have managed their addictions for years, yet they too can—and often do—overdose and die when their drugs are laced with even small amounts of fentanyl and its analogs due to the potency of these opioids.
- E. Opioid deaths in the District fall most heavily among Blacks, males, and residents of Wards 5, 7, and 8, underscoring that this crisis raises health equity and systemic concerns.
- F. Opioid abuse is an imminent threat to the health, safety, and welfare of District residents that requires emergency protective actions be undertaken by the District Government.
- G. By this Order, a public emergency regarding the opioid crisis is declared in the District, effective immediately.

III. EMERGENCY MEASURES AND REQUIREMENTS FOR THE PUBLIC EMERGENCY ON THE OPIOID CRISIS

A. Enhanced Data Sharing to Expedite Health Response

1. The current data sharing agreement executed among the Department of Behavioral Health (DBH), DC Health, and the Fire and Emergency Medical Services Department shall be modified to require District agencies to input suspected non-fatal overdoses into a common data tracking system.
2. The Chief Medical Examiner shall enter overdose prevalence data into the common data tracking system.
3. Enhanced and expedited data sharing, consistent with the safeguards in the existing data sharing agreement, can provide a complete picture of opioid-related fatal and suspected non-fatal overdoses as they occur, allowing for the deployment of outreach teams to overdose hotspots and impacted areas and for the provision of harm reduction services and supports.
4. District agencies shall make recommendations to the City Administrator on whether District laws should be amended to allow for greater data sharing to facilitate a whole-of-government approach to the opioid crisis and other problems harming public health.

5. All District agencies and health care providers shall timely comply with all DC Health requests for data necessary to expedite this health response.

IV. FINDINGS AND DECLARATION: NATURE OF THE PUBLIC EMERGENCY ON JUVENILE CRIME

- A. The District is experiencing an increase in violent crime, particularly among its youth. In the first nine months of 2023, there have been 458 arrests of juveniles for robbery, including carjacking, homicide, or assault with a dangerous weapon—a number which is already 10% more than the total number of such arrests in all of 2022. A total of 151 juveniles have been arrested for carjackings, based on the most serious charge or “top charge,” which represents one-third of all carjacking arrests. There has also been a marked increase in the number of juvenile girls arrested for engaging in dangerous criminal activity.
- B. The number of District youth victimized by violent crime has also increased significantly. Between January and October 2023, 97 juveniles suffered gunshot wounds, including 15 homicides, a 9% increase from the same period in 2022. In just the last five weeks, five youth under the D.C. Superior Court’s Family Court Social Services Division (CSSD) electronic monitoring have been killed. This violence is having a devastating impact on victims, their families, communities, and the District as a whole.
- C. Throughout 2023, the District has taken decisive steps to address this rise in violent crime among youth. The Safer Stronger Amendment Act of 2023 (Bill 25-291) was introduced on May 16, 2023, and focuses on addressing gaps in the District’s public safety and justice ecosystem, including violent crime among youth. On July 20, 2023, the Prioritizing Public Safety Emergency Amendment Act of 2023 (Act 25-175) was signed into law. This emergency legislation established a rebuttable presumption that pre-hearing detention is necessary where the D.C. Superior Court determines there is a substantial probability that a youth committed certain violent crimes. That provision aims to reduce juvenile repeat offenses and ensure the District can connect youth who have committed violent crimes with the rehabilitative supports proven to reduce recidivism.
- D. The District needs to take additional action, on an immediate basis, to provide youth in custody with the appropriate resources and supports, especially where additional youth are detained pre-trial. The District also needs to broaden and enhance existing youth public safety programming to rapidly and effectively reduce incidents of violent crime perpetrated by youth. Achieving these goals will require the acceleration of procedures related to procurement, altered personnel practices, and funding disbursements, and the undertaking of other activities necessary to respond to the public emergency.
- E. Violent crime perpetuated by youth in the District is an imminent threat to the health, safety, and welfare of District residents that requires emergency protective actions be undertaken by the District Government.

- F. By this Order, a public emergency regarding juvenile crime is declared in the District, effective immediately.

V. EMERGENCY MEASURES AND REQUIREMENTS FOR THE PUBLIC EMERGENCY ON JUVENILE CRIME

- A. The Department of Youth Rehabilitation Services (DYRS), in consultation with the Deputy Mayor for Public Safety and Justice (DMPSJ) and the Office of Contracting and Procurement (OCP), shall take measures to increase capacity across the continuum of placements for youth in DYRS's custody. Such measures may include:
1. Procuring additional placements for youth at shelter homes, group homes, supervised independent living facilities, secure facilities, residential treatment centers, psychiatric residential treatment centers, and foster homes;
 2. Engaging in cooperative agreements for programs and placements for detained and committed youth, including rehabilitative, therapeutic, substance-abuse, and trauma-informed programs;
 3. Incentivizing private providers to open additional shelter homes, group homes, and shelter beds for girls; and
 4. Engaging the Department of General Services to undertake expedited renovations at the Youth Services Center for a new 10-bed unit.
- B. DYRS shall collaborate with CSSD to ensure community-based youth compliance with the terms of their release and shall create a plan for real-time monitoring of GPS devices, including establishing a rapid response team to quickly address non-compliance by youth on GPS.
- C. DYRS shall enhance its continuous quality assurance, monitoring, and improvements activities, with an emphasis on secure facility operations, by establishing a policy and quality assurance team.
- D. DMPSJ, in consultation with relevant District agencies and entities, including the Deputy Mayor for Education and the Metropolitan Police Department, shall establish Safe Passage roving teams to reduce school-based violence and deploy additional Public Safety Go Teams, which shall be community-based, non-law enforcement public safety teams made up of credible contacts, including violence interrupters, credible messengers, Safe Passage workers, and roving leaders to serve District neighborhoods most impacted by youth crime.

VI. EMERGENCY MEASURES AND REQUIREMENTS FOR BOTH PUBLIC EMERGENCIES

A. Expedited Procurement to Respond to the Public Emergencies

1. District agencies may, without regard to established operating procedures, enter into contracts, incur obligations, employ temporary workers, rent equipment, purchase supplies and materials, and expend and reprogram public funds to respond to the emergencies declared by this Order.
2. Although the requirements of the Procurement Practices Reform Act of 2010, effective April 8, 2011, D.C. Law 18-371, D.C. Official Code §§ 2-351.01 *et seq.*, the Small and Certified Business Enterprise Development Assistance Act of 2005, effective October 20, 2005, D.C. Law 16-33, D.C. Official Code §§ 2-218.01 *et seq.*, and other procurement laws may be suspended or modified as provided by this Order, District agencies should attempt, consistent with effective emergency response, to secure competitive and economic bids and afford opportunities consistent with those laws to certified business enterprises.

B. Financial Assistance to Support the Public Emergencies Response

1. Notwithstanding any District law governing procurements, contracts, grants, partnerships, finances, the incurring of obligations, the making of expenditures, or the disbursement of funds, the Chief Financial Officer is authorized to approve disbursement of all appropriations necessary to carry out this Order and to make disbursements consistent with those approvals.
2. The City Administrator is authorized to apply for financial assistance through any federal, private, or nonprofit source, and any other appropriate agencies of the United States government to recoup expenditures incurred, or obtain funding needed to carry out necessary actions, under this Order.

C. Intragovernmental Support


1. District agency directors are authorized to activate, implement, and coordinate mutual aid agreements between the District and federal, state, or local jurisdictions, as appropriate to assist in the District's response to both public emergencies.
2. This Order shall apply to all departments, agencies, and instrumentalities of the District Government as necessary or appropriate to implement this Order.
3. The City Administrator is authorized to implement such other measures as may be necessary or appropriate to implement this Order.

4. All Directors shall prioritize and assist the City Administrator in carrying out necessary actions under this Order.

VII. DURATION OF ORDER

This Order shall remain in effect until fifteen (15) days after its effective date, unless earlier rescinded or superseded.

- VIII. EFFECTIVE DATE:** This Order shall become effective immediately.



MURIEL BOWSER
MAYOR

ATTEST: 

KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA