

RESOLUTION NO. \_\_\_\_\_

**REQUESTING THAT THE GOVERNOR OF WASHINGTON DECLARE  
A STATE OF EMERGENCY IN RESPONSE TO THE OPIOID AND FENTANYL CRISIS**

**WHEREAS**, according to [WhatcomOverdosePrevention.org](https://www.whatcomoverdoseprevention.org), overdose deaths in Whatcom County in 2023 (~~117~~132) exceeded deaths in 2022 (91) and have markedly increased every year since 2018; and

**WHEREAS**, Washington State is facing the worst drug crisis in its history, and the resulting tragedies are decimating families and contributing to extraordinary levels of despair in our communities; and

**WHEREAS**, there exists a substantial likelihood of risk to persons and property unless further efforts are taken to reduce the threat from fentanyl; and

**WHEREAS**, the [U.S. Department of Drug Enforcement](https://www.dea.gov) (DEA) identifies fentanyl as a potent synthetic opioid drug approximately 100 times more potent than morphine and 50 times more potent than heroin; and

**WHEREAS**, seven out of ten DEA tested pills with fentanyl are potentially deadly making it likely that '[one pill can kill](#),' and ~~this year~~in 2023 the DEA ~~has~~ seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, our community's approach to fentanyl use and fentanyl-related crimes must be different than our approach to other illegal drug use in our community; and

**WHEREAS**, the use of fentanyl continues spreading throughout our community, and new and immediate avenues to enhance capabilities, coordination, and collaboration across local, state, tribal, and federal agencies are needed to promote public health and safety; and

**WHEREAS**, in June 2023, healthcare workers, tribal leaders, educators, community members and law enforcement gathered for a 2-day workshop, All Hands Whatcom: Opioid Summit, as a call to listening, healing, and action for the Whatcom community in response to the devastating consequences of fentanyl, meth, and opioids; and

**WHEREAS**, in June 2023, a coalition of government agencies, community-based organizations, healthcare providers, and others from across Whatcom County formed a Multi-Agency Coordination (MAC) Group in response to the local opioid and overdose crisis; and

**WHEREAS**, according to the Federal Emergency Management Agency (FEMA), a [Multiagency coordination system](#) is used for extraordinarily large, complex incidents occurring in the city or county involving numerous agencies and/or jurisdictions; and

**WHEREAS**, the [mission of the MAC Group](#) is to coordinate the ongoing community-wide response efforts to the opioid crisis, identify and prioritize additional short-term objectives and

1 strategies to reduce drug-related deaths, and mitigate the impacts on property and public safety  
2 in Whatcom County; and

3  
4 **WHEREAS**, the Whatcom County MAC group aligns with the Washington State [Opioid](#)  
5 [and Overdose Response \(SOOR\) plan](#), which includes five priority goals

- 6 1. Prevent opioid misuse,
- 7 2. Identify and treat substance use disorder,
- 8 3. Ensure and improve the health and wellness of individuals that use drugs,
- 9 4. Use data to detect opioid misuse/abuse, monitor illness, injury and death, and  
10 evaluate interventions,
- 11 5. Support individuals in recovery; and

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13 **WHEREAS**, on September 22, 2023, the Lummi Indian Business Council approved  
14 Resolution 2023-145, declaring a state of emergency in response to the fentanyl crisis; and

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16 **WHEREAS**, Resolution 2023-145 provides the Lummi Indian Business Council with new  
17 and immediate avenues to enhance capabilities, coordination, and collaboration across tribal,  
18 local, state, and federal agencies and bring together state agencies, local law enforcement, and  
19 internal and external partners to pursue and achieve solutions that promote public health and  
20 safety on the Lummi Reservation; and

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22 **WHEREAS**, on October 24, 2023, the Whatcom County Council approved [Resolution](#)  
23 [2023-041](#) supporting the Lummi Indian Business Council's state of emergency declaration in  
24 response to the fentanyl crisis; and

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26 **WHEREAS**, on December 12, 2023, Whatcom County Councilmembers Buchanan and  
27 Elenbaas sent a letter requesting that President Biden declare a national emergency on the  
28 opioid epidemic and open additional resources and authorities to address the crisis; and

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30 **WHEREAS**, the Whatcom County Council understands coordination between all agencies  
31 in our county as well as state and federal supports is needed to fight the fentanyl crisis; and

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33 **WHEREAS**, declarations of emergency at the federal, state, and county levels can open  
34 up additional resources, funding, and assistance to address the fentanyl emergency; and

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36 **WHEREAS**, on Thursday October 26, 2017, the U.S. President officially declared the  
37 [opioid crisis](#) a "public health emergency," adding that the "epidemic is a public health  
38 emergency;" and

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40 **WHEREAS**, on October 26, 2017, and after consultation with public health officials as  
41 necessary, Eric D. Hargan, Acting Secretary of Health and Human Services, pursuant to the  
42 authority under section 319 of the Public Health Service Act, determined that [a public health](#)  
43 [emergency \(PHE\) exists nationwide](#); and

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45 **WHEREAS**, the governor of the state of Washington is authorized under RCW [43.06.010](#)  
46 and RCW [43.06.220](#) to proclaim a State of Emergency after finding that a public disorder,  
47 disaster, energy emergency, or riot exists within the state or any part thereof that affects life,  
48 health, property, or the public peace; and

49  
50 ~~**WHEREAS**, the governor after proclaiming a state of emergency may place restrictions~~  
51 ~~on certain public activities to preserve and maintain life, health, property or the public peace;~~  
52 ~~and~~

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54 **WHEREAS**, RCW [38.52.020](#) establishes emergency management by the state including  
55 rendering mutual aid among the political subdivisions of the state and with other states to  
56 cooperate with the federal government; and

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2 ~~WHEREAS, just as the State of Washington took urgent and decisive action with the~~  
3 ~~threats posed by COVID-19, similar action is needed to address the opioid and fentanyl crisis in~~  
4 ~~our state; and~~  
5

6 **WHEREAS,** Whatcom County Council Resolution 2024-\_\_\_ respectfully requests that the  
7 President of the United States declare a national emergency to address the opioid and fentanyl  
8 crisis.  
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10 **NOW, THEREFORE, BE IT RESOLVED** that the Whatcom County Council respectfully  
11 requests that the Governor of the State of Washington declare a state emergency for the opioid  
12 and fentanyl crisis, and open additional resources and authorities to address the crisis; ~~and~~  
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14 ~~**NOW THEREFORE, BE IT FINALLY RESOLVED** that the Whatcom County Council~~  
15 ~~respectfully requests that the Washington State Legislature partner with the Governor of~~  
16 ~~Washington to rapidly reassess a response to this crisis.~~  
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19 **APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.  
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23 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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27 \_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
Barry Buchanan, Council Chair

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30 APPROVED AS TO FORM:

31  
32 /s/ Royce Buckingham (ch)  
33 Civil Deputy Prosecutor