

PROPOSED BY: BUCHANAN, ELENBAAS  
INTRODUCTION DATE: FEBRUARY 6, 2024

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

**IDENTIFYING WHATCOM COUNTY APPROACHES  
TO THE FENTANYL EMERGENCY**

**WHEREAS**, according to WhatcomOverdosePrevention.org, overdose deaths in Whatcom County in 2023 (132 to date) exceed deaths in the prior year and have markedly increased every year since 2018; and

**WHEREAS**, the United States 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 (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 in 2023, the DEA seized over 360 million deadly doses of fentanyl; and

**WHEREAS**, our community's approach to the 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

1       **WHEREAS**, in June 2023, a coalition of government agencies, community-based  
2 organizations, healthcare providers, and others from across Whatcom County formed a Multi-  
3 Agency Coordination (MAC) Group in response to the local opioid and overdose crisis; and  
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5       **WHEREAS**, according to the Federal Emergency Management Agency (FEMA), a  
6 Multiagency coordination system (MAC) is used for extraordinarily large, complex incidents  
7 occurring in the city or county involving numerous agencies and/or jurisdictions; and  
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9       **WHEREAS**, the mission of the MAC Group is to coordinate the ongoing community-wide  
10 response efforts to the opioid crisis, identify and prioritize additional short-term objectives and  
11 strategies to reduce drug-related deaths, and mitigate the impacts on property and public safety  
12 in Whatcom County; and  
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14       **WHEREAS**, the Whatcom County MAC group aligns with the Washington State Opioid and  
15 Overdose Response (SOOR) plan, which includes five priority goals

- 16           1. Prevent opioid misuse,
- 17           2. Identify and treat substance use disorder,
- 18           3. Ensure and improve the health and wellness of individuals that use drugs,
- 19           4. Use data to detect opioid misuse/abuse, monitor illness, injury and death, and  
20           evaluate interventions,
- 21           5. Support individuals in recovery; and  
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23       **WHEREAS**, on September 22, 2023, the Lummi Indian Business Council approved  
24 Resolution 2023-145, declaring a state of emergency in response to the fentanyl crisis; and  
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26       **WHEREAS**, Resolution 2023-145 provides the Lummi Indian Business Council with new  
27 and immediate avenues to enhance capabilities, coordination, and collaboration across tribal,  
28 local, state, and federal agencies and bring together state agencies, local law enforcement, and  
29 internal and external partners to pursue and achieve solutions that promote public health and  
30 safety on the Lummi Reservation; and  
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32       **WHEREAS**, on October 24, 2023, the Whatcom County Council approved Resolution 2023-  
33 041 supporting the Lummi Indian Business Council's (LIBC) state of emergency declaration in  
34 response to the fentanyl crisis; and  
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36       **WHEREAS**, on December 12, 2023, Whatcom County Councilmembers Buchanan and  
37 Elenbaas sent a letter requesting that President Biden declare a national emergency on the opioid  
38 epidemic and open additional resources and authorities to address the crisis; and  
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40       **WHEREAS**, the Whatcom County Council understands coordination between all agencies  
41 in our county as well as state and federal supports is needed to fight the fentanyl crisis; and

1       **WHEREAS**, declarations of emergency at the federal, state, and county levels can open up  
2 additional resources, funding, and assistance to address the fentanyl emergency; and  
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4       **WHEREAS**, Chapter 36.27 RCW establishes the Whatcom County Prosecuting Attorney as  
5 the independent legal advisor of the legislative authority, prosecutor of all criminal and civil  
6 actions, including felony charges, among other duties; and  
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8       **WHEREAS**, Chapter 9.94A RCW establishes accountable standard ranges for sentencing in  
9 the criminal justice system, and the Prosecuting Attorney makes sentencing recommendations;  
10 and  
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12       **WHEREAS**, Whatcom County Council Resolution 2024-002 respectfully requests that the  
13 Governor of the State of Washington declare a national emergency to address the fentanyl crisis;  
14 and  
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16       **WHEREAS**, Whatcom County Council Resolution 2024-003 respectfully requests that the  
17 President of the United States declare a national emergency to address the fentanyl crisis.  
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19       **NOW THEREFORE BE IT RESOLVED** that the Whatcom County Council acknowledges  
20 there is a countywide fentanyl crisis impacting people, businesses, and properties in our  
21 communities; and  
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23       **NOW THEREFORE BE IT FINALLY RESOLVED** that the Whatcom County Council  
24 recommends the following approaches to the fentanyl crisis:  
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- 26       1. Request official declarations of emergency.
  - 27           a. Request that both state and federal emergency declarations be made to expand  
28 efforts and open up additional resources and tools to protect the lives, public  
29 health, and safety of our community members
  - 30           b. Request that the Whatcom County Executive in coordination with the County  
31 Sheriff, declare a countywide emergency for fentanyl in accordance with the  
32 Comprehensive Emergency Management Plan (CEMP) allowing the following:
    - 33               i. Entering into contracts and incurring obligations necessary to combat  
34 such emergency situations to protect the health and safety of persons;  
35 and
    - 36               ii. Providing appropriate emergency assistance to victims, and
    - 37               iii. Other actions deemed appropriate by the Health Officer and Director of  
38 Emergency Management or their designees.
- 39       2. Enhance legal methods to address fentanyl-related crimes.
  - 40           a. Encourage using the full force of the law to address major crimes and offenses  
41 related to fentanyl;
  - 42           b. Request that the judicial branch and courts impose the strictest sentences  
43 available for fentanyl related crimes;
  - 44           c. Request that the judicial branch and courts offer treatment and recovery  
45 options in lieu of lengthy sentences when appropriate and effective to persuade  
46 people to choose treatment over punishment;  
47

- 1 d. Request that the Whatcom County Prosecutor utilize their power and discretion  
2 to prioritize the prosecution of fentanyl-related crimes and seek strict  
3 sentences;  
4 e. Advocate at the state and federal levels to increase sentencing for fentanyl-  
5 related crimes above and beyond levels for other drug crimes.  
6  
7 3. Provide staffing and financial resources to local efforts.  
8 a. Prioritize county staff and financial resources to address the fentanyl crisis; and  
9 b. Explore options to expand navigator programs to increase efforts on overdose  
10 prevention; and  
11 c. Provide full support to the MAC group working on the fentanyl crisis.  
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14 **APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2024.  
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18 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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Dana Brown-Davis, Clerk of the Council

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Barry Buchanan, Council Chair

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25 APPROVED AS TO FORM:

26  
27 /s/ Royce Buckingham/by email 1/9/2023/ch  
28 Civil Deputy Prosecutor