

A RESOLUTION

22-619

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 2, 2018

To declare the existence of an emergency with respect to the need amend the District of Columbia Uniform Controlled Substances Act of 1981 to add certain classes and substances to the list of Schedule I controlled substances.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Declaration Resolution of 2018”.

Sec. 2. (a) The existing classification system for controlled substances presents difficulties in prosecuting crimes related to the proliferation of fentanyl and synthetic drugs.

(b) Prosecuting crimes related to fentanyl and synthetic drugs is a key component to combating the public health issue of synthetic drug use, including increased overdoses and the provision of related emergency medical services in the District.

(c) According to data provided by the Fire and Emergency Medical Services Department (“FEMS”), from April 1 through September 23, 2018, FEMS treated or transported 1,660 patients to hospitals for symptoms consistent with synthetic cannabinoids. The District experienced 2 significant spikes in calls relating to suspected synthetic cannabinoids during the month of July and beginning in the second week of September. During the July spike, FEMS treated or transported 683 patients to hospitals for symptoms consistent with synthetic cannabinoids. During the September spike, through September 23, 2018, FEMS treated or transported 411 patients to hospitals for symptoms consistent with synthetic cannabinoids.

(d) In the District, which has fewer than 700,000 residents, an average of 30 individuals died per year from opioid overdoses until 2013. According to an Office of the Chief Medical Examiner (“OCME”) report, there were 83 deaths in 2014, 114 deaths in 2015, 231 deaths in 2016, and 279 deaths in 2017. In the first 3 quarters of 2018, there were 134 deaths attributed to opioid overdoses. Disturbingly, more than 67% of those decedents had fentanyl in their systems. Although the data presented represents deaths occurring in the District for which OCME has jurisdiction, the decedent’s place of residence or location of injury may be outside the District.

(e) The Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2018 will reform the existing classification system in a way that enhances the effectiveness of prosecutions related to the proliferation of fentanyl and synthetic drugs. This

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legislation criminalizes synthetic cannabinoids and synthetic cathinones (commonly known as synthetic drugs) based on the class of the chemical compound, not the individual compound. Classifying new substances based on the class of the compound solves 3 problems that have proved troublesome in past prosecution of these cases. First, it minimizes the necessity of enumerating specific synthetic drug compounds on the list of Schedule I controlled substances. Second, it makes laboratory testing for synthetic cannabinoids and synthetic cathinones more efficient. Third, law enforcement will no longer need to rely on an impractical controlled substances “analogue statute” to prosecute emerging synthetic drugs.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Revised Synthetics Abatement and Full Enforcement Drug Control Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.