

EXECUTIVE ORDER NO. 24-07

DECLARING STATE OF EMERGENCY DUE TO FENTANYL USE IN PORTLAND CITY CENTER IN MULTNOMAH COUNTY

A fentanyl use crisis exists across the nation and in Oregon. In Portland City Center¹, fentanyl use has precipitated a state of public emergency. This emergency exists due to injuries and deaths from fentanyl use; harms to people with unmet housing, treatment and health care needs; trauma to downtown residents who wish to avoid fentanyl; and economic and reputational harm to the City of Portland, Multnomah County, and the State of Oregon.

The State, County, and City have expended significant resources attempting to address fentanyl use through a variety of programs and approaches. These independent efforts have improved conditions but have not abated the fentanyl emergency. Coordinated action is required to increase the effectiveness of separate programs that address the harms of fentanyl and polysubstance use, to ensure that all available resources are allocated in a coordinated way to achieve maximum benefit, and to reduce the harms that fentanyl use imposes on the Portland City Center.

Today the Multnomah County Chair and the Mayor of the City of Portland jointly requested a State of Emergency to address fentanyl use in Portland's City Center.

Pursuant to 401.165 *et seq.*, I find that a state of emergency exists in Portland City Center due to the harms of widespread fentanyl use, and the need for a coordinated response.

NOW THEREFORE IT IS ORDERED AND DIRECTED:

A state of emergency exists in Portland City Center due to widespread fentanyl use.

- 1. Oregon Department of Emergency Management (OEM).** OEM shall activate the State's Comprehensive Emergency Management Plan and coordinate use of personnel and equipment of all state agencies necessary to assess, alleviate, respond to, mitigate, or recover from this emergency.

¹ In this Executive Order, "Portland City Center" refers to the Lloyd, Lower Albina, Pearl, Old Town / Chinatown, West End, Goose Hollow, Downtown, Central Eastside, University District – South Downtown, and South Waterfront Neighborhoods, as defined by the Portland Bureau of Planning and Sustainability. It also includes up to 500' around the perimeter of the mapped area. A reference map is posted at <https://www.portland.gov/bps/documents/citywide-neighborhood-associations-and-districts-map/download>.

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- a. OEM coordination efforts shall include, but not be limited to:
 - i. Activating the Comprehensive Emergency Management Plan in the emergency area.
 - ii. Facilitating the provision of additional support and capacity to the City of Portland and Multnomah County to fill identified gaps.
 - b. In conformance with the Comprehensive Emergency Management Plan and ORS chapter 401, state agencies are directed to provide resources and supports requested by OEM to assist in the response to this emergency.
2. Oregon Department of Human Services Assistance (ODHS). ODHS shall, in coordination with OEM, provide appropriate personnel and technical assistance to support the incident response. ODHS efforts shall include but not be limited to coordinating with the City and County to:
- a. Inventory all available resources and identify resource gaps.
 - b. Develop improved systems for coordinating response actions in the Central City.
3. Oregon Health Authority (OHA). OHA shall, in coordination with OEM, provide appropriate personnel and technical assistance to support the incident response. OHA efforts shall include but not be limited to coordinating with the City and County to:
- a. Align work with the OHA overdose response plan.
 - b. Identify appropriate metrics to track progress in reducing the impacts of fentanyl downtown.
 - c. Facilitate information and data sharing to support coordinated response, to the greatest extent legally possible.
 - d. Streamline facility licensing where such streamlining may quickly improve access to treatment, to the greatest extent legally possible.
 - e. Streamline licensing, certification, or registration of health care professionals where such streamlining may increase the ability to assist people impacted by fentanyl, to the greatest extent legally possible.
4. Health licensing boards². Boards shall, in coordination with OEM, streamline licensing, certification, or registration of health care professionals where streamlining:

² Health licensing board has the meaning given that term in ORS 676.150 and is intended to include any other state agency that licenses, registers or certifies individuals who assist people impacted by fentanyl.

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- a. May increase the ability to assist people impacted by fentanyl, to the greatest extent legally possible.
 - b. Does not reduce the professional standards for the license, certification, or registration.
5. Oregon State Police (OSP). OSP shall, in coordination with OEM, provide appropriate personnel and technical assistance to support the incident response.
6. Department of Administrative Services (DAS). DAS shall, in coordination with OEM, provide appropriate personnel and technical assistance to support the incident response, including assistance with regular procurement and emergency procurements permitted under 279B.080.
7. Oregon Department of Environmental Quality (DEQ). DEQ shall, in coordination with OEM, provide appropriate personnel and technical assistance to support the incident response. DEQ efforts may include, but are not limited to, coordinating with the City and County to expedite permitting for temporary outdoor shelters.
8. Discretion; No Right of Action. Any decision made by the Governor pursuant to this Executive Order is made at her sole discretion. This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforcement at law or in equity by any party against the State of Oregon, its agencies, departments, or any officers, employees, or agents thereof.
9. Delegation. Where this Executive Order delegates the Governor's authority to an agency, that delegation does not deprive the Governor of that authority.
10. Legal Effect. This Executive Order is issued under the authority conferred on the Governor by ORS 401.035, ORS 401.165 to 401.236, and ORS 401.525. Pursuant to ORS 401.192, this Executive Order and the actions taken pursuant to it have the full force and effect of law, and any existing laws, ordinances, rules, and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.
11. Severability. If any portion of this Executive Order is held by a court of competent jurisdiction to be invalid, all remaining portions of this Executive Order shall remain in effect.

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- 12. Duration.** Development of a system to efficiently track and coordinate existing resources to assist people impacted by fentanyl use should be completed in not more than 90 days. Therefore, this emergency order will expire in 90 days once the comprehensive plan and strategy has been delivered and implementation begins.

Done at Portland, Oregon, this 30th day of January, 2024.

Tina Kotek
GOVERNOR

ATTEST:

LaVonne Griffin-Valade
SECRETARY OF STATE