



Commonwealth of Virginia  
Office of the Governor

## Executive Order

**NUMBER 26 (2023)**

### **CRUSHING THE FENTANYL EPIDEMIC: STRENGTHENING VIRGINIA'S INTERDICTION AND ENFORCEMENT RESPONSE TO FENTANYL CRISIS**

#### **Importance of the Initiative**

Fentanyl poisoning has devastated families and communities across the nation and in Virginia. The Commonwealth must do more to combat this deadly fentanyl poisoning crisis.

Fentanyl is a synthetic opioid that is approximately fifty times more potent than heroin and one hundred times stronger than morphine. The number of fentanyl overdose deaths in the Commonwealth has grown over 20-fold since 2013, with 1,951 Virginians killed by fentanyl in 2022. Since 2020, more Virginians have died from fatal drug overdoses than motor vehicle and gun-related deaths combined. Drug overdose is the leading cause of unnatural death in Virginia.

The scope of the problem has not only grown over the past decade, but the communities hit hardest have also changed. Historically, white males regularly had the highest rates of fatal opioid overdoses in Virginia. In 2019, however, black males had the highest rate of fatal opioid overdoses in the Commonwealth. From the latest available data, in 2022 black males fatally overdosed on fentanyl 1.9 times as often as white males (rate of 60.4 and 31.4 per 100,000, respectively). More must be done to reach these communities and connect them to a pathway to recovery and renewal.

To combat this scourge on Virginia's families and communities, I am directing executive branch agencies to enact a first-of-its-kind comprehensive fentanyl strategy as part of the ***Right Help, Right Now*** behavioral health transformation to (1) enhance public safety measures to counteract activity by illicit drug manufacturers and distributors; (2) invest in and enhance prevention and recovery efforts (3) educate our communities for action to address fentanyl and opioid abuse and overdoses; (4) expand access to evidence-based treatments; and (5) comprehensively organize our government to transform and strengthen Virginia's response to the fentanyl opioid crisis..

The fentanyl epidemic is a national security concern, a public safety issue, and a serious public health emergency. According to the United States Drug Enforcement Administration, the highest amounts of fentanyl come into the United States from China, through Mexico and Canada. That is why Virginia should raise penalties for manufacturers and dealers who work with Chinese and Mexican drug cartels.

Overdoses are not limited to adults. Illicit drug manufacturers and dealers target children with “rainbow fentanyl,” which are bright-colored pills resembling candy. We must protect our children from the deadly dangers of fentanyl. Enhancing our public safety capabilities will enable local law enforcement to put resources in the right places for more effective interdiction. We must also expand access to naloxone—the opioid reversal treatment—in schools, re-evaluate how we care for children who have lost a family member from a drug overdose, and educate our communities about the dangers of fentanyl as well as how to respond to an overdose.

Fentanyl overdoses and deaths have become far too familiar in Virginia and throughout the country. The measures in this Executive Order are significant steps to reduce the occurrence of fentanyl overdoses and deaths in the Commonwealth. Through this comprehensive strategy, together we will overcome the poison that has taken too many lives.

### **Directive**

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution and the laws of Virginia, I hereby order the following:

#### *Prevention and Treatment*

1. I direct the Secretary of Health and Human Resources to assign a Special Advisor to the Governor on Opioid Response within 90 days of the date of this order to assist in the Commonwealth’s coordinated efforts. Such efforts include collecting data across the Commonwealth and researching effective and proven methods to combat the fentanyl crisis in Virginia.
2. I direct the Department of General Services, in coordination with Virginia Department of Health, to issue a Request for Proposals for naloxone hydrochloride nasal spray kits, and other items as needed, within 60 days of the date of this order, to secure a steady, affordable supply across Virginia. I further direct that other government entities (e.g., counties) can use any such contract to purchase a steady supply of naloxone and enhance our economies of scale as a purchasing collective in our region.
3. I direct the Department of Health to develop a cost-effective plan to utilize and fund wastewater surveillance to detect the frequency, potency, and occurrences of fentanyl use in specific locations. This plan shall include a response strategy that includes increased naloxone distribution, targeted public awareness campaigns, and other cost-effective strategies to reduce fentanyl’s prevalence in those communities where surveillance warrants increased response. The plan shall be sent to the Secretary of Health and Human Resources within 120 days of the date of this order.

4. I direct the Department of Social Services to develop a plan to offer wrap-around services and treatments to those taking care of children whose parents have passed away from a drug overdose to reduce the trauma of losing a parent to an overdose within 120 days of the date of this order.

#### Public Safety and Drug Interdiction

5. I direct the Secretary of Public Safety and Homeland Security to assign a Special Advisor to the Governor on Opioid Interdiction within 90 days of the date of this order.
6. I direct the Secretary of Public Safety and Homeland Security, in coordination with the Virginia State Police, to develop a strategic plan for law enforcement agencies across the Commonwealth serving jurisdictions with high numbers of overdose deaths to combat illicit trafficking and the sale of fentanyl in the Commonwealth within 120 days of the date of this order. These efforts should include interdiction technologies and strategies, as well as investigative equipment and activities needed to support the apprehension of illicit fentanyl, and any additional strategies needed for jurisdictions with high numbers of overdose deaths.
7. I direct the Secretary of Public Safety and Homeland Security and the Secretary of Transportation to work collaboratively together to apply for and secure grants from the Federal government and elsewhere to support efforts to detect illicit fentanyl at Virginia's borders to prevent its entry into the Commonwealth.
8. I direct the Secretary of Public Safety and Homeland Security within 90 days of the date of this order to establish a workgroup to improve pathways for incarcerated individuals with substance use disorders to remain drug-free when they are released from incarceration.

#### Organization of Government and Data Collection

9. I direct the agencies listed below to send a plan to me to report, in accordance with federal and state law, their data to and work with the Virginia State Police's fusion center and to participate in the Framework for Addiction Analysis and Community Transformation (FAACT), a secure data-sharing project led by the Department of Criminal Justice Services (DCJS) in collaboration with the Office of Data Governance and Analytics (ODGA), within 120 days of the date of this order. This effort will create the most cohesive and timely data on fatal and non-fatal overdoses in the Commonwealth to allow for immediate interdiction, education, and abatement efforts in the neighborhoods where spikes in overdoses are observed.
  - Department of Health
  - Department of Health Professions
  - Department of Social Services
  - Department of Medical Assistance Services
  - Department of Behavioral Health and Developmental Services

- Department of Corrections
- Department of Criminal Justice Services
- Department of Juvenile Justice

10. I direct the Department of Health to work with local health departments to assist localities in establishing Overdose Fatality Review teams in accordance with Virginia Code § 32.1-283.7 within 180 days of this order. The teams will work with local law enforcement and the Department of Behavioral Health and Developmental Services to follow up on fentanyl overdose deaths to identify the source of the drug and recommend immediate actions to prevent further overdoses.

**Effective Date of the Executive Order**

This Executive Order shall be effective upon its signing and shall be in effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 9<sup>th</sup> day of May 2023.



A handwritten signature in black ink, appearing to read "Glenn Youngkin".

Glenn Youngkin, Governor

Attest:

A handwritten signature in black ink, appearing to read "Kay Coles James".

Kay Coles James, Secretary of the Commonwealth