



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548



RESOLUTION

of the

YUROK TRIBAL COUNCIL

RESOLUTION NO: 23-60

DATE APPROVED: May 12, 2023

SUBJECT: **DECLARING STATE OF EMERGENCY DUE TO FENTANYL AND XYLAZINE CRISIS ON AND NEAR THE YUROK RESERVATION**

WHEREAS: The Yurok Tribe is a federally recognized Tribe;

WHEREAS: The Yurok Tribal Council is the governing body of the Yurok Tribe under the authority of the Yurok Constitution of 1993;

WHEREAS: The Yurok Tribe is eligible for all rights and privileges afforded to federally recognized Tribes;

WHEREAS: The Yurok Tribal Constitution provides that the Yurok Tribe has a duty to provide for the health, education, economy, and social wellbeing of our members and future members;

WHEREAS: The Yurok Tribal Council has a duty to protect life and property of Yurok Tribal members and the Yurok Reservation by mitigating the potential damage from crisis;

WHEREAS: The Yurok Reservation has experienced crisis-level overdose deaths from opioids for over two decades, reflected by a 290 percent increase in overdose deaths in Humboldt County from 2003 to 2015;

WHEREAS: The proliferation of fentanyl, an extremely powerful opioid, has been deepening the ongoing opioid crisis;

WHEREAS: In 2021, in Del Norte County, Native people visited the Emergency Department for fentanyl-related overdoses at a rate of 54.49 per 100,000 residents compared to 5.87 per 100,000 white residents;

WHEREAS: In 2021, in Humboldt County, Native people visited the Emergency Department for fentanyl-related overdoses at a rate of 43.2 per 100,000 residents compared to 15.87 per 100,000 white residents;

WHEREAS: In 2021, in Humboldt County, the fentanyl-related overdose death rate for Native people was 114.99 per 100,000. In the same year and county, the next highest fentanyl-related overdose death rate was among the Hispanic/Latino population at 26.32 per 100,000 and the lowest was for the white population at 23.80 per 100,000 residents;

WHEREAS: Last year, according to the Del Norte County Sheriff, 19 of the 33 drug-related deaths in the county were fentanyl related;

WHEREAS: The recent increase in fentanyl-related overdoses is correlated with increases in suicides, homelessness, child abuse and neglect, children in foster care, incarcerations, and Missing and Murdered Indigenous People;

WHEREAS: The emergence of the sedative xylazine as an additive to fentanyl threatens to exacerbate the crisis because, according to the California Department of Public Health, taking xylazine in combination with fentanyl increases the chance of a life-threatening overdose;

WHEREAS: Xylazine further threatens to exacerbate the crisis because according to the federal Drug Enforcement Administration, naloxone, or Narcan, an opioid-reversing medication, does not reverse the effects of xylazine, which is not an opioid;

WHEREAS: The lack of emergency medical services capacity for basic and advanced life-saving measures within the Yurok Tribe and geographic remoteness of the Yurok Reservation have and continue to present a major barrier to mobilizing adequate opioid overdose emergency responses;

WHEREAS: The resources of the Yurok Tribe are limited and inadequate to provide the requisite mental health and public welfare services for Yurok Tribal members and their families in the face of the ongoing crisis; and

WHEREAS: It is necessary that all federal, state, local, and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest level of emergency response to this ongoing public health threat and fentanyl and xylazine crisis.

NOW THEREFORE BE IT RESOLVED: That the Yurok Tribal Council declares that a State of Emergency and imminent threat to tribal member health and welfare due to the fentanyl and xylazine crisis exists on and near the Yurok Reservation;

BE IT FURTHER RESOLVED: That the Yurok Tribal Council does enact emergency authorities under the Yurok Tribal Constitution to mitigate this threat and protect the people of the Yurok Reservation;

BE IT FURTHER RESOLVED: That the Yurok Tribe will seek assistance from all federal, state, and tribal, local and volunteer resources to include funding resources available to assist in responding to this emergency;

BE IT FURTHER RESOLVED: That co-ownership of the emergency response shall be delegated to the Yurok Tribal Court and the Public Health Department, which shall have the ability to utilize resources of the Public Safety Division of the Yurok Tribe;

BE IT FURTHER RESOLVED: That a copy of this Resolution No. 23-60 shall be forwarded to all appropriate agencies and entities;

BE IT FURTHER RESOLVED: That a copy of this Resolution No. 23-60 shall be forwarded to the Governor of California in order to advise him that there is a request that he proclaim the Yurok Reservation to be in a state of emergency;

BE IT FURTHER RESOLVED: That a copy of this Resolution No. 23-60 shall be forwarded to the President of the United States of America requesting that he issue a Presidential Declaration of Emergency for the Yurok Reservation;

BE IT FURTHER RESOLVED: That nothing in this resolution shall be construed as a waiver of the Yurok Tribe's sovereign immunity; and

BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to sign this resolution and to negotiate all matters pertaining hereto and that the Council Secretary is authorized to attest.

C*E*R*T*I*F*I*C*A*T*I*O*N

This is to certify that this Resolution Number 23-60 was approved at a duly called meeting of the Yurok Tribe on May 12, 2023, at which a quorum was present and that this Resolution Number 23-60 was adopted by a vote of 8 for and 0 opposed and 0 abstentions in accordance with Article IV, section 5(j) of the Constitution of the Yurok Tribe. This Resolution Number 23-60 has not been rescinded or amended in any way.

DATED THIS 16TH DAY OF MAY, 2023



Joseph L. James, Chairman
Yurok Tribal Council

ATTEST:



Sherry K. Provolt, Secretary
Yurok Tribal Council