

MAYOR

Miguel A. Pulido
mpulido@santa-ana.org

MAYOR PRO TEM

Michele Martinez
Ward 2
mimartinez@santa-ana.org

COUNCILMEMBERS

P. David Benavides
Ward 4
dbenavides@santa-ana.org

Vicente Sarmiento
Ward 1
vsarmiento@santa-ana.org

Jose Solorio
Ward 3
jsolorio@santa-ana.org

Sal Tinajero
Ward 6
stinajero@santa-ana.org

Juan Villegas
Ward 5
jvillegas@santa-ana.org



CITY OF SANTA ANA

June 25, 2018

Carol Crump, MFT
Program Implementation Section, Office of AIDS
State of California-Health and Human Services Agency
California Department of Public Health
MS 770
P.O Box 997426
Sacramento, CA 95899-7426

Re: Orange County Needle Exchange Program Application for Certification as a Mobile Syringe Exchange

Dear Ms. Crump:

The City of Santa Ana strongly opposes the proposed Orange County Needle Exchange Program ("OCNEP") application for certification of mobile syringe needle exchange services in the City of Santa Ana projected to be located within the areas bounded by (N) East 4th Street, (E) North Standard Ave., (S) South Grand Avenue, and (W) East Chestnut Avenue.

Operating a Mobile Needle Exchange program for each of the aforementioned locations will pose a detrimental public health and safety risk given the high-density population concentration as well as the large volume of community traffic inclusive of businesses, schools, residents and the Santa Ana community at large. It is believed, and has been proven through prior City experiences, that this constituency will expose the improper disposal of dirty and used needles, which will endanger the health and safety of the community. Specifically, these locations will negatively impact the Lacy Neighborhood, Walker School Community Center, Villa School, and therefore, pose dangerous situations for school-aged children walking to and from school, with the potential hazard of damaging interactions with dirty needles.

OCNEP's earlier and documented operations in the Santa Ana Civic Center had significant adverse impacts, including but not limited to excessive needle litter at the Civic Center and associated public safety concerns, which ultimately resulted in the City's termination of its Memorandum of Understanding with OCNEP to operate a syringe access program at the Civic Center. In his termination letter dated December 6, 2017, Santa Ana City Manager Raul Godinez II provided to Mr. Nathan Birbaum of the OCNEP Steering Committee, a plethora of written and verbal complaints regarding the mismanagement of the OCNEP program and its deficiency in operation, illustrating serious health and safety concerns to the Santa Ana community. Following the termination of the MOU, and based on the same concerns, the City denied OCNEP's

CITY ATTORNEY
Sonia R. Carvalho

CITY MANAGER
Raul Godinez II

CLERK OF THE COUNCIL
Maria D. Huizar

application for a permit to operate in the Civic Center, as required under the Santa Ana Municipal Code.

Chief among the safety concerns were numerous complaints by citizens conducting business in the Civic Center, families visiting the Santa Ana Library, and employees of the City of Santa Ana, the County of Orange, the federal government and the State of California. In nearly all of these complaints, the parties described discovering discarded hypodermic needles/syringes hidden in books at the Santa Ana Library, Civic Center government facilities, in toilet seat covers and toilet paper dispensers within Santa Ana City Hall restrooms, trash receptacles and Civic Center walkways and pathways (see Appendix A: Letter from City of Santa Ana to OCNEP dated December 6, 2017 and Appendix B: Photographs documenting the proliferation of dirty needles in the Civic Center, and Appendix C: Community complaints to the City of Santa Ana).

Furthermore, the City of Santa Ana has received the following documented narratives of uncapped, dirty, hypodermic needles found by City staff and members of the business community:

1. **City of Santa Ana Public Works Agency** - From January 2018 to June 2018, Public Works staff, Quality of Life Team members, Sanitation Inspectors, and Roadway Cleaning crews, encountered open, used, and uncapped needles during daily cleanup activities, with an estimate of **7,500 needles** removed from public areas and an additional **50 needles** found along the Santiago Creek.
2. **City of Santa Ana Parks, Recreation and Community Services Agency** – Reported that during an average month, the staff at the Santa Ana Senior Center picked up approximately **50 hypodermic needles** at Birch Park, in their normal cleanup to prepare the center and park prior to opening hours for senior citizens.
3. **Santa Ana Police Department** – Reported encountering dirty and used needles discarded throughout the City on a daily basis at an increased level following the enactment of the MOU between OCNEP and the City.
4. **Santa Ana Public Library** – Please see Appendix B
5. **Santa Ana Community Neighborhoods** – The Santa Ana Healthy Neighborhood Alliance, West Floral Park Neighborhood Association, Artist Village, Civic Center Barrio Housing Corporation, Edna Park and Birch Park communities have provided detailed narratives of the harmful impacts discarded hypodermic needles have had on their communities and surrounding areas.
6. **Santa Ana Business Sector** – From September 2017 to June 2018 over **10 major businesses** have expressed great distress over the negative financial impact their businesses have experienced as it pertains to harmful needle debris found in and around their business, as well as walking corridors leading to their establishments.

In addition, in an effort to divert used and contaminated syringes from the residential waste stream, the City of Santa Ana has expended in excess of \$67,000 over the past ten years with Welldyne/RX West. Further, the City of Santa Ana has engaged the services of G4S Secure Solutions to secure public areas (Courthouse/Library/Superblock Parking

Structures) from excessive needle litter and associated impacts of the prior needle exchange operation, including the removal of discarded needles and syringes, at a cost of \$1,014,024.52 annually.

Significantly, the City of Santa Ana is not alone in opposing the OCNEP proposed mobile program for documented health and safety reasons. On June 5, 2018, the Orange County Board of Supervisors adopted a strongly worded resolution opposing OCNEP's operation in Costa Mesa, Santa Ana, Anaheim, Newport Beach and Orange (see Appendix F: Orange County Resolution against OCNEP Mobile Needle Exchange). On June 21, 2018, the City of Costa Mesa submitted a response to the California Department of Public Health opposing the operation of the OCNEP Mobile Needle Exchange, referencing the City of Santa Ana's experience with OCNEP in the terminated Needle Exchange Program for the Civic Center and also indicating, "what the City of Santa Ana experienced within their Civic Center may have likely also been a contributing factor to the nearly 14,000 needles found in the Santa Ana River Trail during the early 2018 clean up effort." (see Appendix D: City of Costa Mesa Police Department Memorandum on OCNEP.)

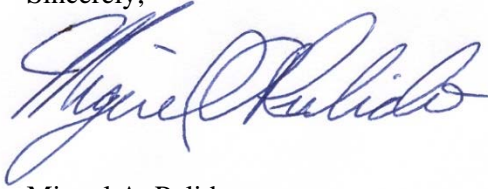
We also call your attention to the letter dated June 8, 2018 by the City of Santa Ana's Chief of Police opposing the operation of the OCNEP Mobile Needle Exchange, referencing the standards for refusal to certify an initial SEP application indicating, "Here, the harm to public safety significantly outweighs the benefits to public health conferred by the OCNEP" (see Appendix E; City of Santa Ana Office of the Chief of Police Letter to California Department of Public Health.) Consultation with local law enforcement leadership is a required step in the California Department of Public Health assessment of SEP requests for authorization and the Chief's letter further articulates why this program is injurious to our community and should not be approved.

Finally, the OCNEP operational standards identify serious concerns. For example, the 20:1 ratio of needle exchange, standing alone, creates an inaccurate level of harm reduction practices to mitigate the overall opioid epidemic the County of Orange faces. Based on past experiences, OCNEP was clearly unable to safely control needle debris from a single non-mobile location. The current application provides no articulable facts and/or safeguards to ensure or even address how this entity would address needle debris from a mobile platform. It is our belief that a mobile implementation would not only create a disastrous experience for our community as a whole, but actually endanger more of our residents and visitors. According to the "2017 Opioid Overdose & Death in Orange County Report," the geographic location with the highest concentration of opioid related cases can be found in southern Orange County cities, with a 59% increase in the number of cases. The rate of opioid related emergency department visits by zip code were noted to be over 72% in southern Orange County, versus less than 30% in the City of Santa Ana. Opioid related overdose deaths by city were disproportionately higher in southern Orange County with an increase of 21%. The demographical characteristics of opioid related overdose deaths were disproportionate in non-Hispanic White communities (981 reported cases), a stark contrast to the Hispanic demographic population of Santa Ana (168 reported cases), all of which indicate the poorly planned program has targeted central Orange County, specifically the City of Santa Ana, while failing to address the true opioid problem in southern Orange County cities (see Appendix G for 2017 Opioid Overdose and Death in Orange County Report.) These statistics provide insight into the City's ongoing assertion that a mobile needle exchange program, with the City of Santa Ana as a

dispensing location, is ill-conceived and demonstrates the program author's desire to enact a program where it desires to exist and not where it will be most effective.

Based on the significant and recent evidence provided above, the City of Santa Ana finds and asserts that the OCNEP Mobile Needle Exchange proposal will not only adversely impact the quality of life for Santa Ana residents, visitors, and businesses, but will also re-create a public health and safety crisis for the Santa Ana community at large which had been mitigated with the cancellation of the prior OCNEP MOU and permit denial.

Sincerely,



Miguel A. Pulido
Mayor

Cc: Mayor and City Council
Executive Management Team, City of Santa Ana
Ken Gominsky, Deputy Chief
Hafsa Kaka, Homeless Services Manager