

# **Costa Mesa votes to join County in legal action to stop needle exchange program**

The City of Costa Mesa agreed in a special City Council meeting Friday to join the County of Orange in their lawsuit seeking an injunction to prevent the Orange County Needle Exchange Program (OCNEP) from implementing a needle exchange program that was approved by the state of California's Department of Public Health earlier this week.

Council also requested the City Attorney's office bring forward an urgency ordinance for consideration at the August 7 City Council meeting declaring a moratorium against all needle exchange programs in the City of Costa Mesa.

The City Council voted unanimously to pursue the legal action.

"California public health officials disregarded overwhelming evidence that the group proposing to operate the needle exchange program in our city has been negligent in the past," Mayor Sandy Genis said. "Their prior record in Santa Ana and increased needle litter that took place once their program began should have been enough to torpedo this bad idea once and for all. Their application grossly misrepresented the nature of the surrounding community and their non-existent community outreach efforts."

In April of 2018, the City of Costa Mesa learned through social media that a group by the name of the Orange County Needle Exchange Program (OCNEP) had filed an application to distribute needles in Westside Costa Mesa. No member of the OCNEP had previously reached out to city officials or law enforcement staff regarding this application.

The OCNEP had previously operated a needle exchange program at

the Santa Ana Civic Center but that operation was shut down by city officials who revoked OCNEP's permit after a massive increase in needle litter that posed a threat to public safety. Several people were

pricked by discarded needles, including members of the Santa Ana Police Department. The city of Costa Mesa received written and photographic evidence of the needle litter.

Once the public learned of this application, the calls and letters to City Hall were overwhelming in community opposition.

The Costa Mesa Police Department and the City Attorney's Office submitted evidence and statements to state officials that chronicled the substantial risks to public health the program presents to the Costa Mesa community and asked that the application be denied.

In the City Attorney's response to the state asking for the application to be denied, the memo stated that OCNEP's own application was incorrect or incomplete; that there was evidence of projected harm to public safety presented by local law enforcement and that the applicant did not meet all the requirements in the state of California's Health and Safety Code.

In its approval of the needle exchange program, the state granted OCNEP the right to distribute needles in Costa Mesa on 17th Street, from the intersection of Whittier Avenue and west to the edge of the city boundary at the Banning Ranch property each Wednesday and Sunday from 10 a.m. to 2 p.m. The state also granted the OCNEP the right to operate needle exchange programs in the City of Orange, Anaheim and Santa Ana.

To see the city's initial opposition documents go to our Needle Exchange Program Facts webpage [here](#).