State approves needle exchange program despite known public safety concerns

City officials learned today that the California Department of Public Health's Office of AIDS has approved an application for a mobile needle exchange operation in Costa Mesa (and three other Orange County cities) despite overwhelming community opposition and warnings from the Costa Mesa Police Department and the City Attorney's Office about the substantial risks to public health the program presents to the Costa Mesa community.

"I am appalled that state officials would approve this needle exchange program in our community," Mayor Sandy Genis said. "The applicants for this program made no public outreach efforts in Costa Mesa and their poor application demonstrates they don't care about our city. Further, they have a terrible record when it comes to collecting the needles that are passed out at a rate of 20 needles or more for every one collected. We are going to quickly examine our options and will continue to oppose this irresponsible program."

Mayor Genis noted the area the exchange is being proposed to operate is in very close proximity to housing, businesses and Whittier Elementary School.

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.

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.

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.

In a review of the application and in discussions with local government leaders, the Costa Mesa City Attorney's office concluded the following regarding the OCNEP's application:

- The information in the application is incorrect or incomplete.
- There is evidence of projected harm to public safety presented by local law enforcement.
- The applicant does not meet all the requirements in the state of California's Health and Safety Code.

"As demonstrated in photographs, letters and other documentary evidence of OCNEP's operation within the Santa Ana Civic Center, it is clear that OCNEP is not able to provide for the safe recovery and disposal of used syringes and sharp waste from all of its participants within a fixed location and that evidence is in the State's possession," according to a statement the city attorney provided to the state Department of Public Health.

In addition, the Costa Mesa Police Department conducted thorough research of this needle exchange program based on the experiences in Santa Ana and concluded the threat to the

public’s health was far too great to allow this exchange program to operate in Costa Mesa.

“It is clear in discussions with officials from the Santa Ana Police Department and reviewing written correspondence and photographs provided by the City of Santa Ana regarding the prevalence of dangerous and potentially harmful discarded needles within the community, that this needle exchange program poses a serious risk to public safety and health by inadequately accounting for the collection of the volume of needles dispensed,” according to a statement the Costa Mesa Police Department provided the state.

In light of this decision by the state, the City of Costa Mesa will be in contact with officials in Santa Ana, Anaheim and Orange and the City Council will explore all potential options to protect Costa Mesa and its residents, business owners and visitors.

Any residents wishing to express concerns about this approval can call Dr. Karen Smith, Director and State Public Health Officer, at 916-558-1784.

To see the city’s initial opposition documents go to our Needle Exchange Program Facts webpage here. For further questions please contact Costa Mesa’s Public Information Officer Tony Dodero at 714-754-5288 or via email at citynews@costamesaca.gov.