

August 7, 2020

Sent Via Electronic Mail and First-Class Mail

Dr. Sonia Y. Angell, Director and State Health Officer
Marjorie Katz, Harm Reduction Specialist
California Department of Public Health
P.O. Box 997377
Sacramento, California 95899
Marjorie.Katz@cdph.ca.gov

Re: City of Eureka's Opposition to the Re-certification of the Humboldt Area Center
for Harm Reduction

Dr. Angell:

The City of Eureka opposes the re-certification of the Humboldt Area Center for Harm Reduction (HACHR) Syringe Exchange Program (SEP). The City does not oppose SEPs in theory, but rather opposes an organization that has not lived up to its promises to the City and its citizens, has routinely thumbed its nose at the City's requests for greater community education and outreach, is in violation of local ordinance related to SEPs, and is using the authority granted it by the state to condone and facilitate the smoking of methamphetamines.

The California Legislature authorized SEPs to reduce the spread of HIV, viral hepatitis, and other bloodborne infections among the "intravenous drug user population." See California Health & Safety Code § 121349. The Legislature found that "the exchange of used hypodermic needles and syringes for clean hypodermic needles and syringes does not increase drug use in the population", and authorized SEPs to prevent the spread of disease "that are spread through the sharing of used hypodermic needles and syringes."

The findings and purpose of the SEP implementing statutes cannot be clearer: it is intended to provide clean needles and syringes to intravenous drug users. It is most certainly not intended to authorize the distribution of methamphetamine pipes or other paraphernalia for smoking methamphetamines. Nor is it intended to create safe-havens where drug users and drug dealers are free to buy, sell, and use narcotics.

Nothing in the authorizing statutes, implementing regulations, CDPH website, or CDPH literature, states that the distribution of methamphetamine pipes and associated supplies is contemplated under the SEP project. And yet, HACHR is citing California Health & Safety Code

§ 121349.1 as authority to do just that. HACHR is handing out “safe smoking kits” during a four-hour window once a week. Included with the kits are foil sheets, brass screens, glass stems, and glass bubblers. Also included, a “safe smoking kit” information sheet that instructs users, step-by-step, on the best technique for getting high. Tips include: “While inhaling, turn or twist the pipe between 10 and 2; Stop the flame and inhale quickly; Holding your breath does not increase the high.” Copies of photographs of the informational instructions are included at the end of this letter.

The California Department of Public Health (CDPH) authorized HACHR’s SEP on October 8, 2018 pursuant to California Health & Safety Code § 121349 and California Code of Regulations, Title 17, Subchapter 15. At that time, the City of Eureka opposed the authorization because HACHR had already shown a tendency to ignore community concerns around needle and syringe litter. However, the City continued to work with HACHR, and in HACHR’s 2019 annual report to CDPH, HACHR acknowledges a good working relationship with an officer from the Eureka Police Department. HACHR also points to a one for one syringe distribution policy to help address the community’s syringe litter problem.

Unfortunately, by early 2020, the City had reason to believe that there was more than a needle and syringe litter problem with HACHR’s SEP. In response to citizen complaints, the Eureka Police Department embarked on a fact-finding mission that included both surveillance and undercover operations at HACHR’s Eureka location. The results of those operations are detailed in a memorandum from Brian Stephens, Captain of EPD’s Investigations Division, enclosed herewith.

The observations of the Eureka City Police over the course of several months, detailed in Captain Stephens memorandum, conclusively shows that HACHR is handing out methamphetamine kits and is complicit in the sale and on-site use of drugs. It also strongly suggests that some HACHR staff members are actively involved in the sale and on-site use of drugs. Meanwhile, HACHR’s Director has asked the Eureka Police Department to limit its presence on or near HACHR property, citing concern for the rights of her clients.

If the CDPH has changed its policy and is now authorizing the distribution of methamphetamine pipes and other tools used for the smoking of methamphetamines and heroin, it is important that it do so openly and publicly so that local agencies can react accordingly. As it stands, the CDPH website is silent on the matter, and the City of Eureka is left to wonder whether HACHR is operating under some implied authority in handing out this paraphernalia.

Furthermore, the City must be informed if CDPH is implicitly or explicitly condoning the creation of “safe-havens” for drug dealing and drug using. Such implied or explicit authorization would be a striking and fundamental change from what was presented to the City when HACHR first applied for SEP certification. Such a change, if done without engaging in a legislative process and affording the community a chance for involvement, would constitute a severe breach of trust and a shocking lapse in judgment.

Under the circumstances and given the new information available to the City since HACHR's previous request for certification, the City cannot – and CDPH should not – support HACHR's request for re-certification.

Sincerely,

Robert N. Black pp.
Robert N. Black
City Attorney

Stephen Watson
Steve Watson
Chief of Police

Susan Seaman
Susan Seaman
Mayor

RNB:cil

Enc.



MEMORANDUM

DATE: July 27, 2020

TO: Robert N. Black, City Attorney

FROM: Brian Stephens, Captain Investigations Division

SUBJECT: HACHR Information

The following information is a culmination of a fact-finding investigation that has taken place over the past seven months at the direction of Chief Steve Watson. The investigation was conducted on the Humboldt Area Center for Harm Reduction (HACHR) following numerous complaints and a meeting with concerned citizens and business owners. The results of the fact-finding investigation will be outlined below in bullet points in chronological order.

- January 16, 2020, City Manager Dean Lotter, Chief Steve Watson and I met with a group of concerned citizens and business owners concerning HACHR operations. During this meeting the group discussed Neighbor's Experiences, Syringe and Syringe Litter, Accountability and Suggestions for Remedy. The overall goal of the group as stated in their agenda; "To have Humboldt Area Center for Harm Reduction (HACHR): blend into the neighborhood and become a good neighbor; have no more impact on the neighborhood than other businesses."
- Following the meeting you conducted research into HACHR's State Licensing requirements as well as additional requirements and potential approaches for the City to take if HACHR was found to be out of compliance.
- In January 2020, Sergeant Greg Hill took over as the supervising Sergeant for the Eureka Police Department's Problem Oriented Policing (POP) team. Sgt. Hill was briefed by Chief Watson and I on HACHR and the concerns that had been presented to us as well as the complaints we have received.
- On January 28, 2020, Chief Watson received an email from HACHR concerning an Open House they were holding on February 05, 2020 from 4:00 pm to 6:00 pm. The invitation was addressed to friends and community members and further stated the Open House was specifically for service providers, elected officials, first responders and law enforcement. Sgt. Hill attended the Open House on behalf of the department.
- Sgt. Hill arrived at the open house at 4:15 pm. He wore civilian attire. He knocked on the door and was let inside the building. Upon entering the building, he was approached

by a female who identified herself as Jessica Smith, the Director of HACHR. Sgt. Hill introduced himself as Sgt. Greg Hill with the Eureka Police Department. During the tour Smith showed and explained to Sgt. Hill how they conduct syringe exchange and explained other items they give to clients as a part of the harm reduction model. At about 4:30 pm, Sgt. Hill and Smith were standing near the bathroom. Sgt. Hill noticed a handwritten sign on the bathroom door that stated, "Ask staff to use, 12-minute time limit." He then heard the bathroom door unlock and open and witnessed a male subject exit the bathroom. Sgt. Hill described this male as wearing disheveled and dirty clothing. He noticed the male appeared very sluggish in his body movements and he could see his pupils were very constricted. Sgt Hill noticed a long piece of toilet paper hanging out of the back pocket of his pants. There appeared to be small spots of blood on the paper, as the spots were red in color. Due to this subject's objective signs and symptoms, the presence of the blood spotted toilet paper and his training and experience as a Drug Recognition Expert (DRE), Sgt. Hill formed the opinion the subject was under the influence of a central nervous system depressant, most likely an opiate.

Smith saw the male exiting the bathroom and she immediately stated, "What are you doing in there? We closed thirty minutes ago." She quickly escorted the male out the front door of the building. Upon her return, Sgt. Hill described Smith as appearing flustered, nervous and stated her hands were visibly shaking. She continued to present these behaviors throughout the rest of the tour, occasionally having trouble collecting her thoughts and stuttering during their conversations. Sgt. Hill made no direct inquiries about the bathroom incident. Sgt. Hill concluded his tour at approximately 4:50 pm.

- Sgt. Hill noted that throughout the month of February, he received several complaints from citizens regarding suspected narcotics dealing and open drug use in the alley behind HACHR.
- On March 02, 2020, Sgt. Hill, Detective Eckert and Officer Craig conducted an undercover surveillance operation in the area of HACHR. During their operation they noticed several subjects loitering/sitting in the alley directly behind HACHR. It should be noted that this operation started as the drop-in hours concluded for syringe exchange. During the operation a male subject showed up in a silver Ford Focus and parked in the alley. This subject exited his vehicle, met with an unidentified subject and then returned to his vehicle. The male then drove his vehicle to the east end of the alley and met with a male and female subject and openly conducted a hand to hand narcotics transaction. The male driver of the vehicle was positively identified as [REDACTED]
- Sgt. Hill observed the male subject take what [REDACTED] had given him and appear to prepare it for use. The male subject took out a hypodermic syringe, blue sterile water container and a metal cooker and placed them on a trash can. These are all items consisted with harm reduction paraphernalia received from HACHR. The female acted as a lookout. They then moved out of sight.
- During the same surveillance, two male subjects stood outside the surveillance vehicle. One subject appeared to break off a piece of something he had in his hand and give it to the other subject. The substance was black in color and appeared to be heroin.
- On March 10, 2020, Sgt. Hill arrested [REDACTED] during an incident in the parking lot of the Humboldt County Library for possession of heroin for sales. The library is only 1 ½ blocks from HACHR.

- On March 31, 2020, a second surveillance operation was conducted between 9:00 am and 1:30 pm. This surveillance was conducted by POP Detective Dalby and Sgt. Hill. Drop in hours for syringe exchange this day were 10:00 am and 2:00 pm. During this surveillance operation they observed a female subject openly inject herself with a hypodermic syringe on the north side of the HACHR building. They observed a male subject park a vehicle in the alley and enter HACHR with a large sharp's container. The male exited a few minutes later with seven cases of syringes. Each case appeared to contain hundreds of new syringes. During this surveillance operation it was observed that the employees of HACHR were providing plates of food to their clients, which caused them to loiter around the parking lot for longer periods of time.
- On April 02, 2020, a third surveillance operation was conducted from 9:00 am until 1:30 pm. This operation was again conducted by Sgt. Hill and Detective Dalby as they were stationed in the alley to the rear of HACHR. Drop in hours for syringe exchange for this was 10:00 am to 2:00 pm. During the operation [REDACTED] was observed parking on the north side of HACHR, 3rd Street, in his silver Ford Focus. As soon as [REDACTED] parked a male subject approached the vehicle and it appeared a narcotics transaction took place. Approximately one minute after that subject left another male subject approached the vehicle on a bicycle and appeared to purchase narcotics. That subject then left the area. [REDACTED] then exited his vehicle, went inside HACHR and returned with a plate of food. He loitered in the alley for approximately 20 minutes then left.

During this same operation a male subject was observed entering HACHR with two medium sized sharp's containers and exited with three cases of hypodermic syringes. This subject was positively identified. This same subject was arrested 2 weeks later by the Humboldt County Drug Task Force with more than 2lbs of heroin for sale.

- **The following entries are related to Informational/Enforcement Contacts related to HACHR.**
- On March 10, 2020 a known female was contacted in [REDACTED]'s vehicle. The female told detectives that HACHR was now providing clear glass pipes which can be used for smoking methamphetamine. This female had heard that HACHR had already given out 2,500 of these pipes.
- On March 17, 2020, detectives contacted a known female in the parking lot of the library who was found to be in possession of a clear glass pipe. This pipe had been used to smoke methamphetamine. This female stated that she obtained the pipe from Needle Exchange and pointed toward HACHR. The detective asked if you had to turn an old pipe in to get a new one and she said no, that HACHR was just giving them out to everyone.
- Sgt. Hill conducted research on the California Department of Public Health website which licenses HACHR. The site doesn't contain information about syringe exchange locations providing glass pipes as a part of their services. Additionally, no where on HACHR's website, hachr707.org, does it discuss them providing glass pipes.
- On April 21, 2020, Detective Couch and Sgt. Hill observed a male subject smoking a narcotic in a green belt behind Taco Bell. This subject admitted to smoking methamphetamine and stated he gotten his pipes from HACHR.

- On this same day they conducted a probation search of a male subject in the 300 block of "P" Street. The subject told the detectives HACHR gives out pipes once a month.
- On April 27, 2020, Detective Couch and Sgt. Hill contacted a male subject at the Laguna Inn. While searching his belongings they located two black plastic sharp's containers. The subject stated he got the containers from HACHR. The detectives asked him if he had ever gotten a meth pipe at HACHR and he stated he has and told them they provide the pipes on Thursday between 10:00 am and 2:00pm.
- On May 12, 2020, Sgt. Hill was contacted by the Humboldt County Drug Task Force Commander, Sgt. Jesse Taylor. Sgt. Taylor advised Sgt. Hill that they had received information from an informant who stated HACHR gives out pipes on Thursday's only. The informant also advised they are now giving out "snort kits" and safe smoking kits for heroin smoking.
- On July 15, 2020, Sgt. Hill was forwarded a case prepared by EPD Ranger Goodale. The report states on July 14, 2020 at about 1:12 pm, Ranger Goodale observed a known male subject actively injecting suspected heroin into his hand with a hypodermic syringe, as he sat in the alley to the rear of HACHR. Ranger Goodale searched the bag that was sitting at the subject's feet. The plastic bag contained a new sharp's container and a paper bag containing new syringes and other drug use items. It appears this bag was obtained from HACHR during their drop-in hours. HACHR was open for drop in syringe exchange on this date starting at 10:00 am until 2:00 pm.

Chief Watson and I were briefed after each one of these incidents and all the surveillance operations. While this information was vital to understanding the issues around HACHR and learning they were now distributing glass pipes to smoke methamphetamine, it wasn't conclusive to how much activity actually was taking place on or near HACHR's property. To further our fact-finding investigation, we authorized the use of undercover (UC) law enforcement personnel to conduct operations on HACHR property. Sgt. Hill and I met with members of the Humboldt County Drug Task Force (HCDTF) and briefed them on the situation and requested their assistance with the UC operations. They agreed to assist. Each operation was planned and organized by Sgt. Hill. A member of the HCDTF acted as the UC Agent and the rest of their team were used as observation and rescue personnel.

The following will be a summary of those operations.

- **UC Operation #1** – On May 18, 2020 POP and DTF personnel briefed for an UC operation at HACHR. The UC Agent was provided a container of used hypodermic syringes to conduct a syringe exchange at HACHR. The UC was given a recording device that allowed the others involved in the operation to hear and record what was begin said and heard. The UC wore a pair of surveillance glasses with an embedded camera to video record the interactions with the UC. The UC was provided "buy money" to be used in the event an opportunity arose to purchase narcotics.

At about 12:15 pm, the UC was at the west entrance to HACHR conducting a needle exchange. The UC asked a male subject who was standing next to the front door where he could purchase some narcotics. The male asked the UC what he was looking for and the UC stated he preferred "white" but "black" would do. "White is a common street term for methamphetamine and "black" is a common street term for heroin. The male stated he has some "white" he would sell him.

The UC and the male walked north on the walkway in front of HACHR and moved away from the front door. The male produced a clear plastic bindle containing a white crystalline substance and the UC purchased it for \$30.00. This male was later contacted by POP Detectives and identified. A warrant will be submitted for his arrest. The substance purchased by the UC was tested and screened positive as methamphetamine.

The UC then exchanged his used hypodermic syringes (25) and received 20 new ones. The UC inquired about getting a "meth" pipe and was told by the male employee to come back on Thursday and they only give them out on Thursdays.

- **UC Operation #2** – On May 21, 2020 POP and DTF personnel briefed for an UC operation at HACHR. The UC Agent was provided a plastic soda bottle containing 5 used hypodermic syringes to conduct a syringe exchange at HACHR. The UC was given a recording device that allowed the others involved in the operation to hear and record what was begin said and heard. The UC wore a pair of surveillance glasses with an embedded camera to video record the interactions with the UC. The UC was provided "buy money" to be used in the event an opportunity arose to purchase narcotics.

The UC arrived on scene and contacted a HACHR employee inside the front door. The employee immediately recognized the UC from the encounter earlier in the week. The employee said, "you need a pipe right." The UC said he did and the employee provided him with a black plastic sharps container. The UC also received a paper bag containing, two packages of new hypodermic syringes. In total the UC received 20 new syringes for the 5 that were submitted.

The UC asked the employee if there was a bathroom where he "Could get well?" The employee told him that there were not allowing customers to use the bathroom right now. The term "Get Well" is slang for narcotics users needing to use illegal narcotics so they can feel better, overcome their dope sickness.

During the debrief the UC provided the black plastic sharp's container to Sgt. Hill. Inside the container Sgt. Hill located a clean clear glass pipe. The pipe had a cylindrical shaped shaft with a bulbous end. Sgt. Hill recognized this type of pipe as the ones used to smoke methamphetamine. The container also contained an orange grommet for the pipe, a small piece of metal foil, a plastic straw and two pieces of paper.

One piece of paper had typed on it an explanation of Health and Safety Code 121349.1, which explained the syringe program participants were allowed to give out such items and then listed the items they are allowed to provide.

The other piece of paper was hand written and an obvious photocopy. It had "HACHR Safe Smoking Kit" hand written at the top and then there was a list of six instructions, hand written, on how to smoke illegal narcotics. In summary, the six instructions listed on the piece of paper were instruction on how to smoke illegal narcotics to get the best "high". At the end of the instructions was printed, "Remember: Only 1 pipe per person every month so keep your safe, bring questions to HACHR."

- **UC Operation #3** – On June 11, 2020 POP and DTF personnel briefed for an UC operation at HACHR. The UC Agent was provided a container of used hypodermic syringes to conduct a syringe exchange at HACHR. The UC was given a recording device that allowed the others involved in the operation to hear and record what was begin said and heard. The UC wore a pair of surveillance glasses with an embedded

camera to video record the interactions with the UC. The UC was provided "buy money" to be used in the event an opportunity arose to purchase narcotics.

At about 11:50 am, the UC was standing in line on the walkway on the west side of HACHR. A male subject walked by the UC and said he had "stuff" for sale. The UC asked what he was selling and the male subject displayed a dark brown substance wrapped in clear plastic that appeared to be heroin. The UC and the subject walked to the north end of the walkway on the north side of the building. The male removed a silver digital scale from his pocket and placed it on the retaining wall. He placed the suspected heroin on the scale and asked the UC if he had a knife. The UC told him he didn't and asked him how much for it all. The male told the UC \$100.

While the UC and the male were discussing the purchase of heroin, an employee from HACHR came outside. The female employee asked the UC and the male if they were "discussing food." The employee then reiterated that they were "discussing food", almost as if forcing the UC and the male to acknowledge her statement. This behavior seemed odd, as it was clear to anyone watching the interaction between the UC and male that the sales of illegal narcotics was taking place. The UC and the male subject walked east on the south sidewalk of 3rd St and out of view of the HACHR employee. The UC then purchased the suspected heroin from the male. This sale was also recorded by another DTF Agent who was watching the incident unfold. The male subject was positively identified.

After this purchase the UC proceeded back to HACHR and conducted a syringe exchange. The UC received a paper bag containing two packages of new hypodermic syringes (20) total, bandages, alcohol swabs, metal cookers, rubber tie-offs and sterile water vials. The UC inquired about obtaining another meth pipe and the employee told him they were currently out but would put him on the list to get one next time.

Prior to leaving HACHR, the UC contacted the same male dealer from above, who was seated on the retaining wall on the north side of HACHR. The UC inquired if he knew where he could purchase some "white". A female who was seated with the male told the UC she had some for sale. The UC and the female walked east on the sidewalk about 10 feet. The female produced several pieces of a white crystalline substance from the right side of her bra. The UC wrapped the substance in a \$10 bill. The UC asked how much she wanted for the suspected methamphetamine and the female stated \$30.00. The UC purchased the narcotics, then left the area.

Both substances were later tested and screened positive for heroin, narcotics from male subject, and methamphetamine, narcotics from female subject. Both subjects have been positively identified and Ramey warrants will be issued for their arrest.

- **UC Operation #4** – On July 13, 2020 POP and DTF personnel briefed for an UC operation at HACHR. The UC Agent was provided a container of used hypodermic syringes to conduct a syringe exchange at HACHR. The UC was given a recording device that allowed the others involved in the operation to hear and record what was being said and heard. The UC wore a pair of surveillance glasses with an embedded camera to video record the interactions with the UC. The UC was provided "buy money" to be used in the event an opportunity arose to purchase narcotics.

At approximately 12:45 pm, the UC arrived at HACHR on foot. While he was standing in line he observed the male from the previous operation standing in the parking lot. The UC told the male he needed to speak with him after his syringe exchange. The UC

exchanged 5 used hypodermic syringes and received a case, approximately 100 syringes in return. The UC was also provided two narcotics testing kits.

The UC stated while standing in line he watched as a male subject walked up to the male heroin dealer and handed him a wad of \$1 bills. He overheard this male tell the dealer that he didn't have all the money he owed him but was working on getting the rest.

The UC met with the male heroin dealer (same male from previous operations) in the main parking lot of HACHR, on the west side of the building. The male told the UC he had heroin for sale. The UC agreed to purchase \$80 worth of heroin. They walked from the parking lot and east on 3rd Street. They stopped just west of the intersection with "Q" Street. The male produced a large zip lock bag from his pocket that contained suspected heroin. The UC asked how much to purchase the whole bag and the male stated \$400. The UC decided to just purchase the \$80 worth.

After the purchase the UC left the area. He advised Sgt. Hill that the subject had a larger quantity on him. POP Detectives located the male and detained him. They located the large baggie of heroin and seized it. They also searched his motel room and seized our buy money along with an additional \$655 in cash as evidence. This investigation will be included in the Ramey warrant for his arrest.

The suspected heroin seized screened positive as heroin.

- **UC Operation #5** – On July 16, 2020 POP and DTF personnel briefed for an UC operation at HACHR. The UC Agent was provided a container of used hypodermic syringes to conduct a syringe exchange at HACHR. The UC was given a recording device that allowed the others involved in the operation to hear and record what was begin said and heard. The UC wore a pair of surveillance glasses with an embedded camera to video record the interactions with the UC. The UC was provided "buy money" to be used in the event an opportunity arose to purchase narcotics.

At approximately 1:20 pm the UC arrived at HACHR on foot. Upon his arrival he found a line alongside the building leading to the front door. While standing in line, the UC observed a female narcotics dealer/user he is familiar with, inside one of the offices located on the northwest side of the building. The UC stated the office window was open and it appeared the female was providing drug counseling services to subjects who approached the window.

The UC told Sgt. Hill that at one point he observed the female smoking suspected methamphetamine from a glass pipe inside the office. The female then handed the pipe out the window to the male subject who was standing in front of the UC. This male subject was later positively identified. The UC heard the two talking about purchasing LSD or "Acid". The male told the female that it was \$3 for a tab or a whole sheet was \$100. The UC told the male he was interested in purchasing the sheet for \$100. The male told the UC he would have to go pick it up and would be back in 20 minutes.

While the UC was standing in line he was potentially recognized by another subject on scene, who asked him if he was working and where the rest of his crew was located. The male then began whispering to others and the UC quickly left the area and was secured by the rescue team.

Another DTF Agent was in a position as the UC was leaving to record the female walk outside the business but he wasn't able to capture her inside the business smoking methamphetamine. She hung out outside the business near the window of the office she had just been in.

The UC stated during the debrief that he observed several suspected hand to hand narcotics transactions take place in the parking lot of HACHR. The suspected narcotics transactions were more visible and obvious during this operation than all the others when the UC had been at HACHR.

- **UC Operation #6** – This was a surveillance operation. On July 21, 2020 Sgt. Hill set up at a location near HACHR, positioned in a vehicle on the 1500 block of 3rd Street. He conducted surveillance from 9:30 am till 2:00 pm. This was a drop in day for syringe exchange and their hours of operation were from 10:00 am till 2:00 pm.

At about 9:40 am, Sgt. Hill witnessed the female observed by the UC smoking suspected methamphetamine inside HACHR, walk into the parking lot and walk up to the employee entrance. She knocked on the door was allowed inside.

At about 10:50 am, Sgt. Hill observed a male subject known to him, conduct a suspected hand to hand narcotics transaction near the wheelchair ramp to HACHR. Sgt. Hill photographed this interaction and the subject once the transaction was done and when enhanced one of the photos shows a small piece of a dark substance in the palm of his hand.

At approximately 12:45 pm, Sgt. Hill observed a black BMW sedan pull into the parking lot of HACHR and park. The vehicle was occupied by a male driver and female passenger. He observed the male driver waive out the window. A few seconds later, the female previously observed smoking methamphetamine inside the business, exited the north side door to the building and walk directly to the driver's side window. She conversed with the occupants briefly then walked back inside the business. A few second later, she exited the building again through the same door. She had one of her fists clenched closed. She approached the passenger side window to the vehicle and exchanged a small item with the passenger. She immediately began walking back toward the building and the vehicle backed out and left down the alley. Sgt. Hill noted that given his training and experience he believed an illegal narcotics transaction had taken place.

At approximately 1:30 pm, Sgt. Hill observed a male who was positively identified approach another male near the wheelchair ramp. The two males had a brief conversation and then walked together over to a black Chevy Blazer parked in the HACHR parking lot. The male reached in the passenger side window and retrieved a small item from inside the vehicle. One male then handed the item to the other male. The two separated and one male left the area on a bicycle after a couple of minutes.

At 1:40 pm, Sgt. Hill observed a male known to him from prior police contacts park on 3rd Street near "P" Street and walk up to the wheelchair ramp on HACHR property, where he stood in line. Several subjects were witnessed speaking with this male subject. This male subject entered HACHR at approximately 1:55 pm and exited at approximately 1:59 pm with several items in his hands. Sgt. Hill videoed the subject as he exited the building. He stopped at the door and spoke to another male subject who is also known to Sgt. Hill from prior police contacts. As the first subject walked back to his vehicle the second subject followed him. They were out of Sgt. Hill's view briefly.

When the second subject reappeared, he was holding a small piece of white plastic in the palm of his hand and was obviously inspecting it.

Sgt. Hill later analyzed the video of the male exiting the building. Sgt. Hill noticed that as he was walking down the wheelchair ramp he was holding a clear quart size zip lock style bag. The bag contained what appeared to be a dark brown or black substance. The appearance of the substance was consistent with heroin. The subject didn't have that item in his hands when he entered HACHR.

- **Conclusion:** Based on the multiple complaints received from community members and business owners, the undercover operations conducted by the POP team, and the interactions with HACHR, they are knowingly allowing drug trafficking to occur on their premises. Additionally, based on the observations of the UC it appears HACHR is allowing drug use to take place inside their business.

HACHR ^{SMC} **SMOKING KIT**

★ IT'S BEST TO HAVE YOUR OWN EQUIPMENT. SHARING MAY LEAD TO THE TRANSMISSION OF HIV OR HEP-2*

IF YOU ARE GOING TO SHARE - USE THE "WRAP SOMETHING AROUND THE PIPE SO IT FITS SNUG IN THE BOOT."

SAFE SMOKING STEPS:

1. Apply heat until smoke swirls. The flame should NOT touch the bowl. Move the flame side to side an inch or so below.
2. Once you are ready to smoke, put the end of the storn past your lips and front teeth. Make a seal.

→ This is better for your ORAL HEALTH

CALIFORNIA HEALTH AND SAFETY CODE SECTION

121349.1 states that syringe services program (SSP) participants "shall not be subject to criminal prosecution for possession of needles or syringes or any materials deemed by a local or state health department to be necessary to prevent the spread of communicable diseases, or to prevent drug overdose, injury, or disability" acquired from an authorized SSP.

The California Department of Public Health, Office of AIDS, makes the following materials available to authorized California SSPs in order to prevent the spread of communicable diseases and prevent drug-related injury or disability:

4002 - Foil sheets, One-Use

4003 - Brass screens

4004 - Glass stem

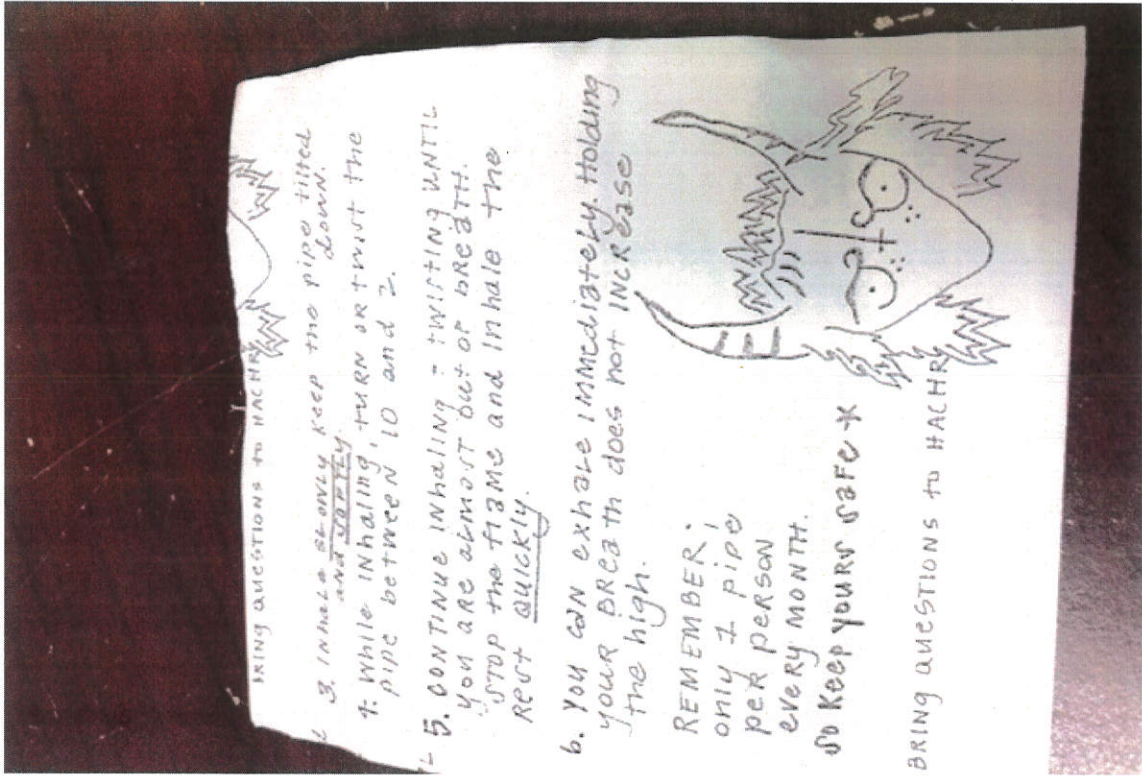
4005 - Glass bubbler

These supplies are made available to authorized SSPs through the California Syringe Supply Clearinghouse.



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BRING QUESTIONS TO HACHRY

3. Inhale slowly keep the pipe tilted down.
 and quickly.
 4. While inhaling, turn or twist the pipe between 10 and 2.
 5. CONTINUE INHALING - TWISTING UNTIL YOU ARE ALMOST OUT OF BREATH. STOP THE FLAME and inhale the REST QUICKLY.
 6. You can exhale immediately. Holding your BREATH does not INCREASE the high.

REMEMBER!
 ONLY 7 PIPE
 PER PERSON
 EVERY MONTH.
 So Keep YOUR SAFE X

BRING QUESTIONS TO HACHRY

