

Tyler Hartsell

From: Leo Bennett-Cauchon <leobennettcauchon@gmail.com>
Sent: Monday, December 4, 2023 2:17 PM
To: BOS-District I; BOS-District III; BOS-District V; BOS-District IV; BOS-District II; BOS-Clerk of the Board
Subject: Agenda item 39: 12/05/23

Dear BOS,

Please adopt staff's alternative for item 39: "Board could choose not to approve the Urgency Ordinance."

Adoption will harm our vulnerable neighbors suffering from substance abuse disorder. It could expose our county to ADA litigation.

Also it will undermine EDC's collaboration with the Coalition for Overdose Prevention and Education (COPE). Finally it will undermine our BOS's commitment to Good Governance.

As I wrote in my previous letter (6/20/23) please collaborate with the CDHS to improve "its role in ensuring that all residents in our state and in our local county remain enabled to maintain their human rights including our most basic right: the right to life!"

Sincerely,

Léo Bennett-Cauchon
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BACKGROUND

1. *Harm to neighbors:* Sierra Harm Reduction's 10/11/22 report identified "309 overdose reversals". The CDPH stated: "While rural counties such as El Dorado may currently have relatively few residents with diagnosed cases of HIV and hepatitis C virus, the presence of a syringe program can make all the difference in preventing an outbreak."
2. *ADA litigation:* "Drug addiction is a disability protected by the Americans With Disabilities Act and Section 504 of the Rehabilitation Act." David H. Sinkman, Georgetown University Law Center.
3. *Science Driven:* American Medical Association, Center for Disease Control and Prevention, and the National Institute on Drug Abuse.
4. *COPE partners:* Barton Health, EDC Health Centers, EDC Health and Human Services Agency, Marshall Medical Center, Shingle Springs Health and Wellness Center, Sierra Harm Reduction Coalition.
5. *Good Governance needs:* Updated "relevant county public health data, including HIV and hepatitis C viral (HCV) infection, opiate and stimulant overdoses, endocarditis, soft tissue infections, congenital syphilis and other diseases and health conditions associated with injection drug use". Also needed is the "full board discussion with CDPH" called for on 10/11/22, accurate minutes reflecting lack of unanimous opposition by community and BOS, and clarification of Government Code 25845 use of abatement, owner of a parcel, imminent threat. Finally needed is quantification of "improper collection and disposal of used hypodermic needles and syringes", "collection of

needles and syringes near streams, rivers, lakes, and other waterways”, “public health crisis due to increasing overdose deaths”, and “the operation of a needle exchange or distribution program increases the risk of overdose and death by facilitating the use of deadly and dangerous synthetic opioids”.