

Evaluation of the Decriminalization of Illegal Drugs in British Columbia

Findings from Year 2

In 2022, the *Ontario Node of the Canadian Research Initiative in Substance Matters (OCRINT)* received a five-year grant from the Canadian Institutes of Health Research (CIHR) to conduct an independent evaluation of Canada's first drug decriminalization policy, implemented in the province of British Columbia (BC).

The evaluation comprises a series of quantitative, qualitative, and mixed-methods sub-studies examining policy design, implementation, outcomes, and unintended consequences across several domains:



People Who Use Drugs



Police & Criminal Justice System



General Public



Health Service System



Economic Impacts



BC DECRIMINALIZATION POLICY OVERVIEW

On January 31st, 2023, BC decriminalized the personal possession of up to 2.5 g of opioids, cocaine, methamphetamine, and MDMA among adults (18+) for a pilot period of three years. This decriminalization initiative aimed to reduce stigma, criminalization, and associated harms for people who use drugs, while improving access to health services, trust in law enforcement, and public awareness of drug use as a health issue.

The policy underwent several changes throughout its three-year trial period. Most notably, on May 7th, 2024, the policy was amended to effectively restore criminal penalties for public possession. The policy expired on January 31st, 2026, and was not renewed.

Key policy milestones are outlined in the timeline below:

Decriminalization of illegal drugs in BC:

The BC government pilots a three-year exemption under the federal *Controlled Drugs and Substances Act*, decriminalizing personal possession of up to 2.5g of select illegal drugs for adults.

Policy Conclusion:

BC's drug decriminalization policy expires following the government's decision not to renew the exemption. Criminal penalties for personal drug possession of any amount are fully reinstated.

January 31, 2023

May 7, 2024

January 31, 2026

Policy Amendment:

Health Canada approves the province's request to exempt public spaces from the policy, prohibiting drug possession of any amount in public spaces. Legal possession of up to 2.5 g was restricted to private residences, places where people are legally sheltering, and designated harm-reduction and substance-use treatment facilities (e.g., supervised consumption sites).



Qualitative Interviews with People Who Use Drugs:

Perceptions and Interactions with Police

SUB-STUDY OVERVIEW

This sub-study aims to assess how the decriminalization policy and the subsequent policy amendment has impacted interactions, experiences, and perceptions of police among people who use drugs

Between February and April 2025, we conducted qualitative telephone-based interviews with **75 people who use drugs** across BC.

Interviews explored aspects related to their drug use experiences and related risks, and included a survey assessing socio-demographics, drug use, and overdose history.

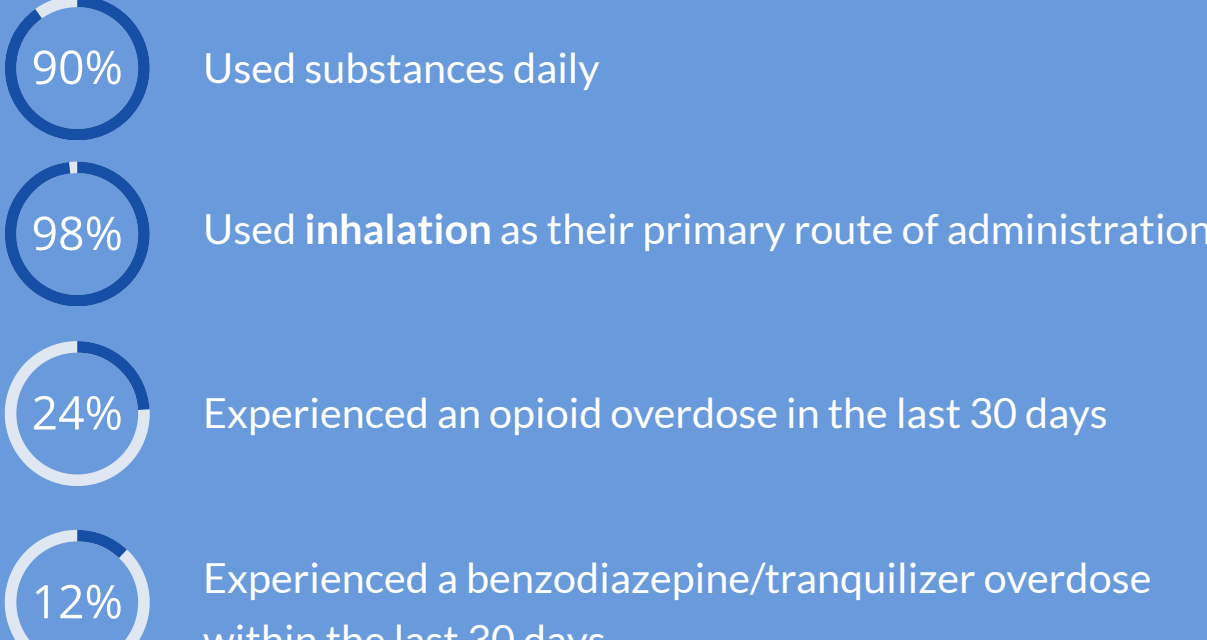
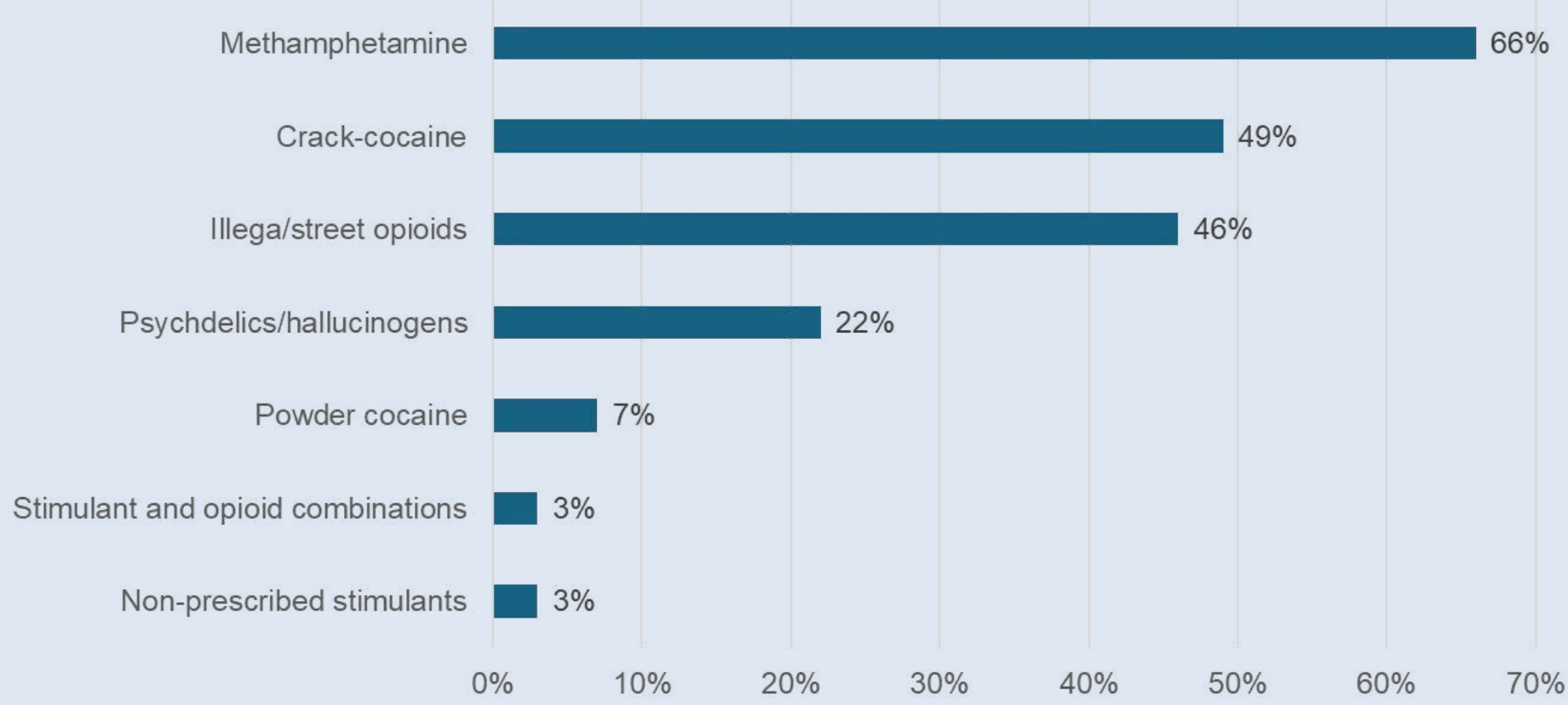
The analytic sample was restricted to the **41 (55%)** participants who reported having at least one drug-related interaction with police since decriminalization. Data were synthesized using both qualitative and content analysis approaches.

FINDINGS

Sample Characteristics (n=41)

58% Women **68%** White **37%** Secondary / High school **37%** Live in a precarious housing
42 Average age **32%** Employed **51%** Located in mid-size urban areas

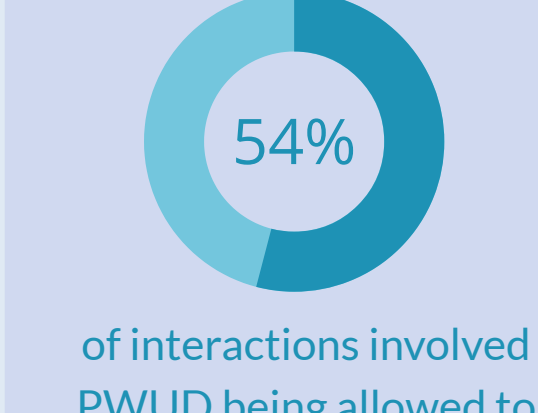
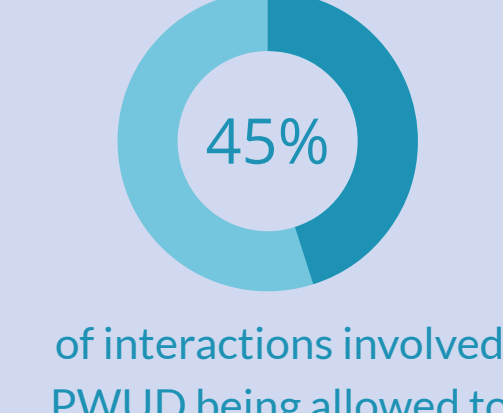
Substances Used



Perceptions and Interactions with Police during Decriminalization

Of the 41 drug-related interactions reported, **11 (27%)** occurred during the initial decriminalization period, with varied outcomes

- Several participants were allowed to **keep their drugs under 2.5g** and **drug use equipment** - outcomes they viewed as positive as it was consistent with decriminalization's legal protections
- As a result, many described a newfound **sense of security** and **protection** under the policy, describing a reduced fear of police intervention when they were carrying drugs
- Others reported experiencing **less invasive searches** and a general **reduction in police harassment**



"[Decriminalization] helped a lot, you're less nervous, the police don't harass you nearly as much as they used to. If they see you smoking, they don't come over and automatically search you. It's made a better experience for me with the police."

During this period, **no participants** reported being arrested or charged for drug possession, regardless of the amount carried

- For some, this fostered **improved perceptions of police** and a **broad sense of security**, as they felt the policy protected them from wider social and economic harms associated with criminalization

"When it was decriminalized, it was obvious to me that you can just be free. You can do what you do and don't have to worry about the stigma or the charges, the criminality, everything else that falls into it. Which is a very negative situation."

Yet, improvements were **fragile** and the majority participants continued to have **predominantly negative** experiences with police

- Several reported **unlawful confiscations** of equipment and drugs under 2.5g - practices that were **inconsistent** with the **policy's legal parameters**
- Participants saw these actions as a **failure to uphold** the police mandate under decriminalization, allowing punitive enforcement to persist despite legal safeguards

"The police just don't really care [about decriminalization]. They'll throw your drugs in the garbage if they see fit to, and your pipes, even if they're not used. Because my pipes had nothing in them, brand new piece of glass, and they still threw them out."

Beyond unlawful confiscations, officers were described as **dismissive** or **confrontational**, which fostered cynicism about whether the policy was actually being followed in practice

- Participants suggested that for officers to be seen as allies instead of threats, they needed to:
 - Demonstrate **stronger adherence** to the **policy parameters**
 - Be held **accountable** to their **responsibilities** under the policy

"If the police do see people when it's decriminalized, doing drugs in public, that offers interactions with police that could be positive between these people. And if they could give them a [resource] card or something, or talk about going to treatment and getting better, I think that could help people in the long run."

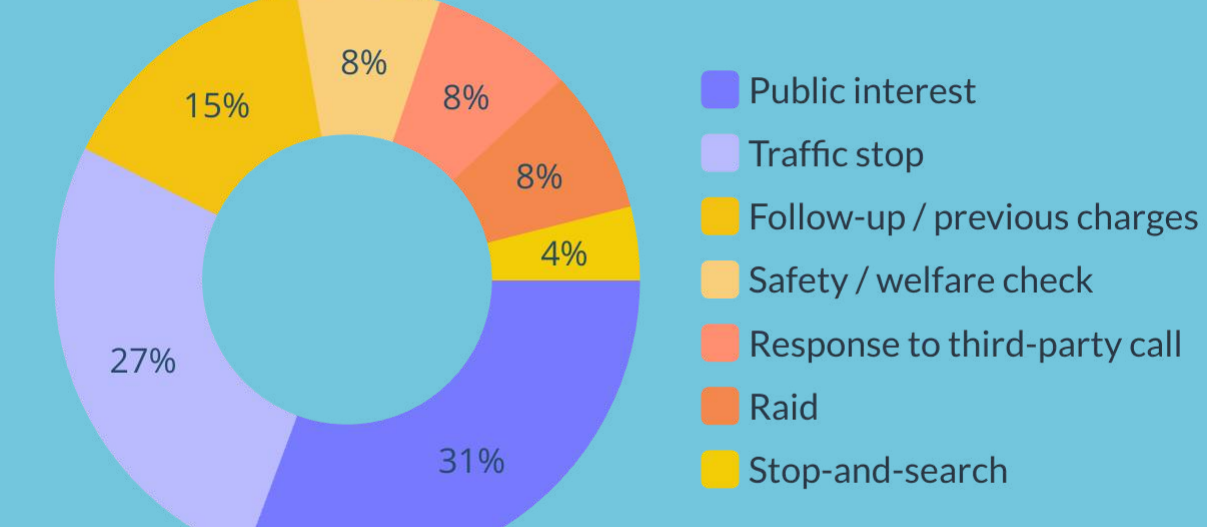
Perceptions and Interactions with Police Following the Policy Amendment

Of the 41 drug-related interactions reported, **26 (63%)** occurred following the policy amendment

- Majority of the interactions involved **lawful confiscations** in **public places** outside of the designated zones where the 2.5g threshold was being upheld
- However, several participants described having their drugs of equipment confiscated **without any legal processes**, which made them feel vulnerable to future police scrutiny
 - Participants likened these seizures to being robbed

"The police just take everything. From my point of view, they're robbing people. They're taking their money, taking their dope, not charging them. So that's what I think they're doing."

REASON FOR INTERACTIONS (n=26)



39%

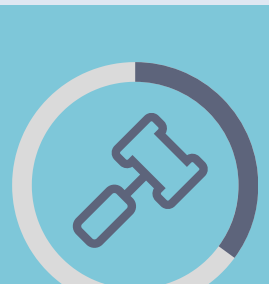
of interactions involved drug confiscations

35%

of interactions involved equipment confiscations

Officers' use of discretion **remained central** to interactions; however, its focus changed to decisions to **escalate** to arrest, detain, or pursue charges

- Participants experienced **more legal proceedings** (e.g. arrest, detainment, charges and fines) for current and past offences than they did during the initial decriminalization period
- As a result, participants viewed the amendment as **re-instating officers' discretionary powers**, providing them greater freedom in how they treat people who use drugs



35% of participants experienced legal proceedings

Among those who reported experiencing legal proceedings (n=9),

67% were arrested for the current offence (all but one were drug-related)

33% were charged for the current offence (all but one were drug-related)

Participants also described **deteriorating interactions with police**, including verbal and physical harassment, surveillance, hostility, and, in some cases, destruction of their property

- For example, participants reported cases where officers were **forceful** and **less respectful** than during decriminalization

"The officer came, he kicked me awake and called me a 'junkie', told me that I wasn't allowed to be there and then was kicking my purse. He was looking for what [drugs] I had. [...] I said I don't have any. [...] He stepped on my pipe and smashed it and told me that I would be arrested for trespassing if he saw me again."

Several also reported feeling surveilled, being stopped, searched, and even detained shortly after exiting **overdose prevention sites**—locations intended to provide **legally protected spaces** for drug use under the amendment

- Participants perceived this kind of surveillance as **unfair, predatory**, and reflective of officers' desire to **reassert control in public spaces**

"Now that it's re-criminalized in public spaces, if you have [drugs] on you or if you're using [them], it's uncomfortable because I don't want to get arrested going to the [overdose prevention site]. So yes, I have to hide my stuff. I have to make sure that my stuff is put away really well so I don't lose it to the police."

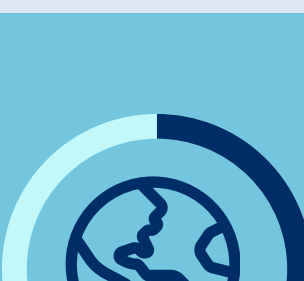
Overall, the amendment signaled a return to **punitive, pre-decriminalization policing**, in which the **fear** of being stopped, searched, or arrested resurfaced, especially when using or carrying drugs in public

"[Re-criminalization] makes me worried that every time I go outside to smoke drugs that I will get caught and go to jail or get a criminal record"

Differences in Interactions by Geography, Housing Status and Race/Ethnicity

Participants' encounters with police were shaped by **structural and social determinants of health**, including geography, housing status, and race/ethnicity

- Differences in urban communities more often described either **no noticeable change** or a **reduction** in police presence during decriminalization, which a few interpreted as a 'softening' of enforcement



56% of the participants who experienced 10+ interactions with police were from rural/remote regions of BC

"[Police presence has decreased] a little bit [since decriminalization] [...] Like here, it's not like other places I've heard about. They just don't bother you as much here, or in downtown. In [mid-size urban city], they don't bother you down here."

In contrast, participants living in **rural** and **remote communities** described **heightened surveillance** and **scrutiny** across both policy periods, but especially following the amendment.

- Participants in smaller communities, where anonymity was limited, felt **more visible to local officers**, and thereby vulnerable to being targeted due to reputation or familiarity

"[Re-criminalization] did [affect me] because, being a small town, [the police] knew where I worked so they could take advantage of the fact that they could pull me over. [...] So [I'm] just guilty [by] association."

Racialized participants also described a **deep-seated distrust** of police that persisted beyond decriminalization, rooted in experiences of racial profiling, stigma, and repeated criminalization, which shaped both the **frequency** and **nature** of their encounters with police

"You would assume that [decriminalization] has changed [police interactions with PWUD] for the better. [...] [but] I have this idea that the cops have always been out to get us. Being Latino, especially. [...] It's always been that. Even after decriminalization, I still have that in my mind. Don't talk to police. Don't interact, [or] as little as possible."

Housing status also shaped participants' encounters with police, as unhoused participants described a historically contentious relationship with law enforcement, characterized by victimization and harassment

During re-criminalization:

70%

of PWUD who reported drug confiscations did not have stable housing

67%

of PWUD who underwent legal proceedings did not have stable housing

"[Re-criminalization] doesn't affect me because I'm not like the homeless or anything like that. I have a house and people I [use drugs] with have houses. So [re-criminalization] doesn't affect me."

- Participants suggested that stable housing could be a **protective factor** in interactions with police, therefore, many participants advocated for better **housing supports** and **safe consumption spaces**

"People are dropping like flies all over the place. [We need] safe, legal places where people can go in and use rather than being charged and thrown in jail or harassed by the [police] for using [...] A lot of these people are homeless and have nowhere to use. So they find themselves in a situation where they end up harassed by police and sometimes charged."

- While some participants reported **modest improvements** in police interactions and perceived protection under decriminalization, the policy amendment largely signaled a **return to punitive and predatory policing**
- Findings suggest that the **nature** and **outcomes** of interactions with police during decriminalization and the amendment hinge on **officer's discretion** - more often than not exacerbating existing inequities
- Differences in **geography, race/ethnicity** and **housing status** often shaped the frequency and nature of police interactions
- Enhanced **police training and education**, alongside **robust accountability measures** and the **ongoing evaluation of enforcement patterns** is needed to ensure officers are being held accountable to police mandates
- However, standalone training initiatives are insufficient; **broad investment in community health, social, and harm reduction supports** is critical to meet the immediate needs of people who use drugs and mitigate negative police encounters

Source: Russell, C., Torres-Salbach, S., Bardwell, G., Budau, J., Bonn, M., Ivsins, A., Rehm, J., & Ali, F. (2025) Policing Interactions And Outcomes Under Shifting Decriminalization Policies In British Columbia: Insights From People Who Use Drugs. *Criminology And Public Policy*. Under Review.