Findings from Year 2

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

The **Ontario Node of the Canadian Research Initiative in Substance Matters** (OCRINT) is conducting a five-year independent evaluation of the decriminalization policy to assess its impact across the following domains:









Health Service

System



Economic

Impacts



Perceptions and Interactions with Police

• Evaluations of decriminalization's impact on interactions between people who use drugs (PWUD) and police and their outcomes is

2024 amendment that re-criminalized public drug use and possession • This sub-study aims to assess how the decriminalization policy and the re-criminalization amendment has impacted police interactions and their outcomes as well as perceptions of police among PWUD

Qualitative Interviews with People Who Use Drugs (PWUD):

Amendment

- On May 7, 2024, the policy was amended to effectively 're-criminalize' public drug use and restrict legal possession of 2.5g to the following locations: Private residences
 - Places that provide out-patient addiction services (e.g. RAACs/RAAMs)

• Overdose prevention, drug checking and supervised consumption sites

• Participants also completed an interviewer-administered survey assessing socio-demographics, and 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

Methods

Places where people are legally sheltering

- Results
- Sample Characteristics (n=41)

across BC, exploring aspects related to their drug use experiences and related risks



period, with varied outcomes

harassment

amendment

39%

of interactions involved

drug confiscations

destruction of their property

Methamphetamine

Illega/street opioids

Crack-cocaine

police since decriminalization

Employed

Used **inhalation** as their primary route of administration

Experienced an opioid overdose in the last 30 days

Experienced a benzodiazepine/tranquilizer overdose within the last 30 days

> of interactions involved PWUD being allowed to keep their equipment



regardless of the amount carried

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."

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."

"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. needed to:

think they're doing."

REASON FOR INTERACTIONS (n=26)

15%

27%

Officers' use of discretion remained central to interactions; however, its focus changed to decisions

8%

4%

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

fines) for current and past offences than they did during the initial decriminalization period

33%

• For example, participants reported cases where officers were forceful of participants experienced legal proceedings Among those who reported experiencing legal proceedings (n=9), were arrested for the current offence (all but one were drug-related)

one were drug-related)

were charged for the current offence (all but

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

and less respectful than during decriminalization

"[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."

10+ interactions with police were In contrast, participants living in rural and remote communities described heightened from rural/remote regions of BC surveillance and scrutiny across both policy periods, but especially during re-criminalization

stigma, and repeated criminalization, which shaped both the frequency and nature of their encounters with police

Housing status also shaped participants' encounters with police, as unhoused participants

described a historically contentious relationship with law enforcement, characterized by

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,

"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

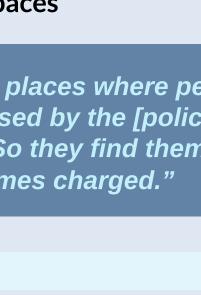
Latino, especially. [...] It's always been that. Even after decriminalization, I still have that in

• During re-criminalization, participants living in shelters, transitional housing, or experiencing homelessness reported more frequent contact with police and often harsher

"[Re-criminalization] doesn't affect me because I'm not like the homeless or anything like that. I have a house and my place and people I [use drugs] with have houses. So [re-criminalization] doesn't affect me." consumption spaces "People are dropping like flies all over the place. [We need] safe, legal places where people

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

of PWUD who reported drug confiscations did not have stable housing



During re-criminalization:

of PWUD who underwent

legal proceedings did not

have stable housing

Implications & Next Steps • Findings suggest that the **nature** and **outcomes of interactions** with police during decriminalization and re-criminalization hinge on

my mind. Don't talk to police. Don't interact, [or] as little as possible."

- outcomes, as their drug use was more visible in public spaces • Housed participants were more likely to be let go without charge than unhoused
 - can go in and use rather than being charged and thrown in jail or harassed by the [police] for

• While some participants reported modest improvements in police interactions and perceived protection under decriminalization, recriminalization largely signaled a return to punitive and predatory policing

ONTARIO

- 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
- However, standalone training initiatives are insufficient; broader investment in community health, social, and harm reduction supports is critical to meet the immediate needs of PWUD and mitigate negative police encounters





in Substance Matters



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 "[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 policing, in which the fear of being stopped, searched, or arrested resurfaced, a criminal record" especially when using or carrying drugs in public 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 • Participants 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

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

56%

victimization and harassment

of the participants who experienced

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 And if they could give them a [resource] card or something, or talk about going to treatment and

REASON FOR INTERACTIONS (n=11) Response to third-party call Safety / welfare check Stop-and-search Follow up / previous charges 18% Traffic stop Raid

getting better, I think that could help people in the long run."

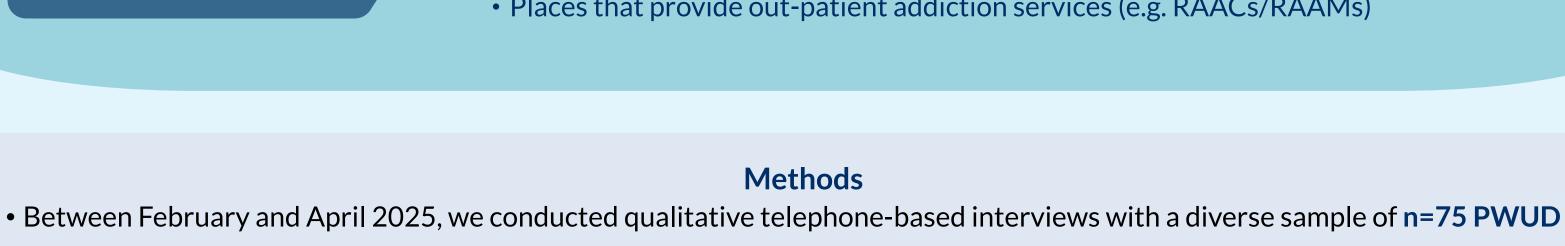
Re-criminalization

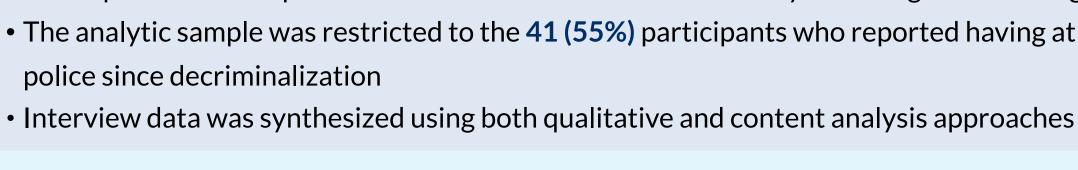
crucial to understand whether the policy is meeting its intended goals, and inform policy adjustments, especially in light of the May

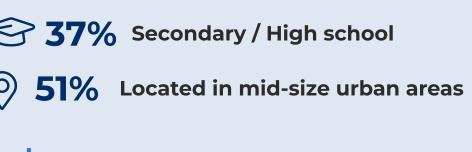
Overview of Decriminalization

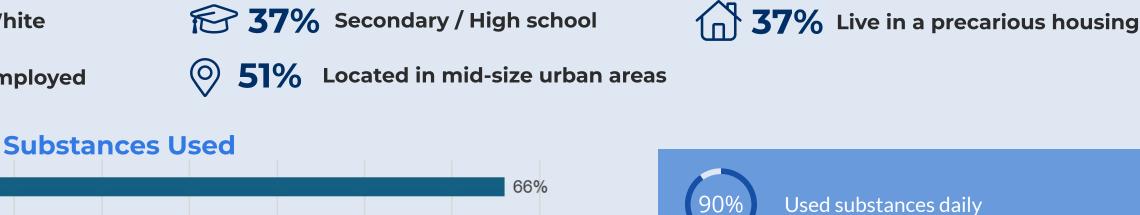
People Who Use Drugs (PWUD)

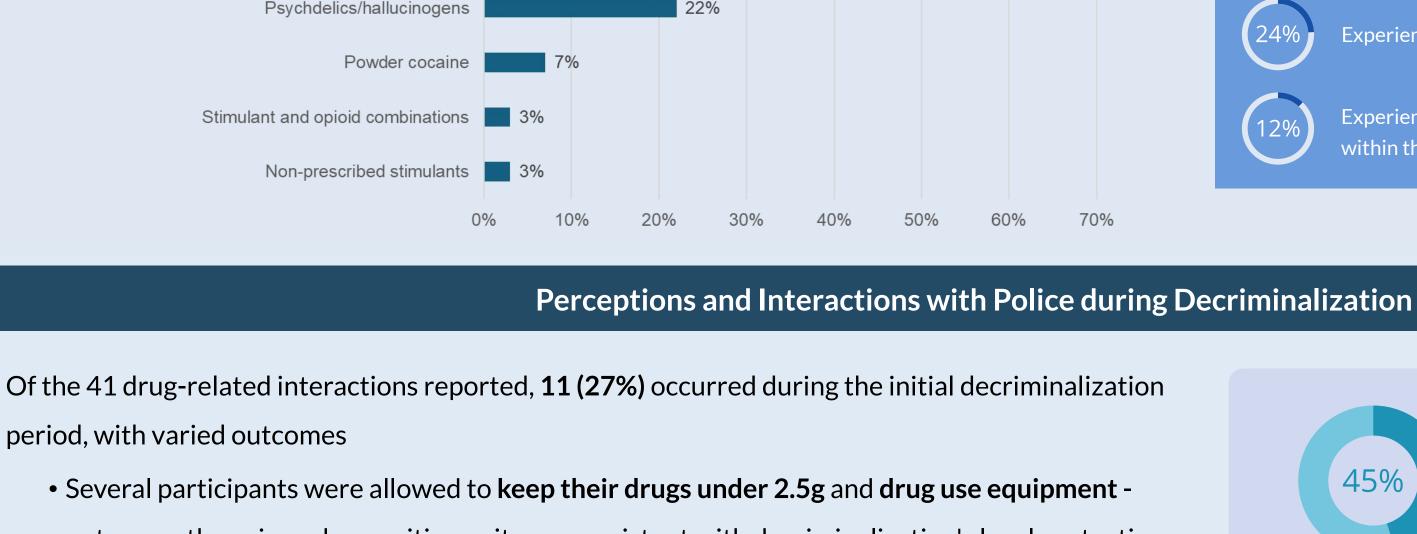
Police & Criminal General **Public Justice System**

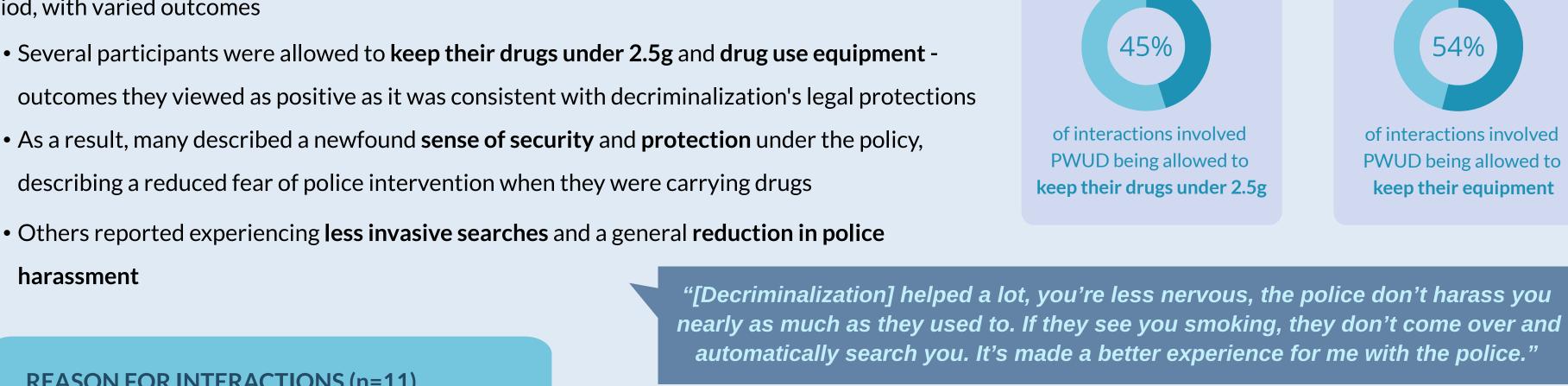


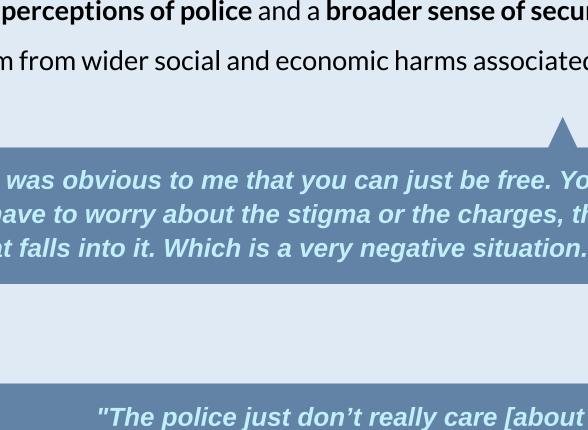




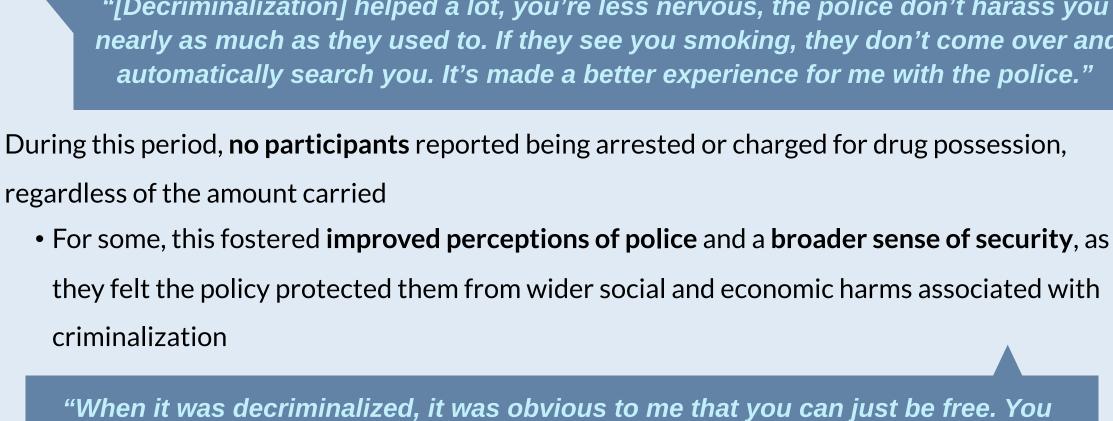








decriminalization]. They'll throw your drugs in the



Public interest

Stop-and-search

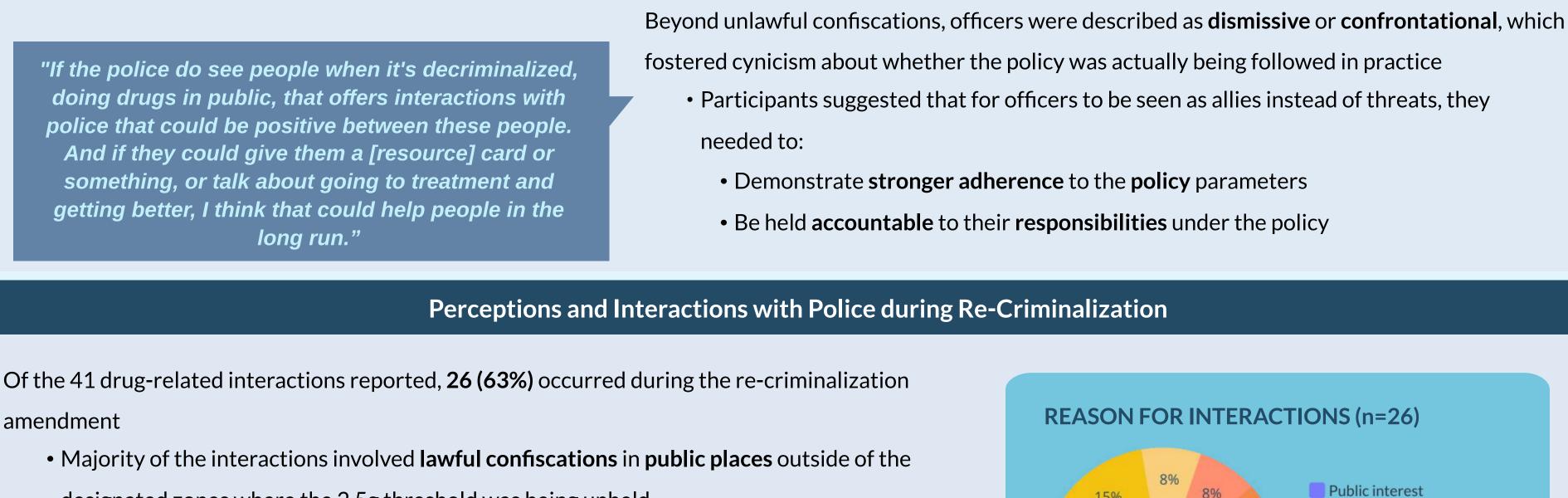
Follow-up / previous charges

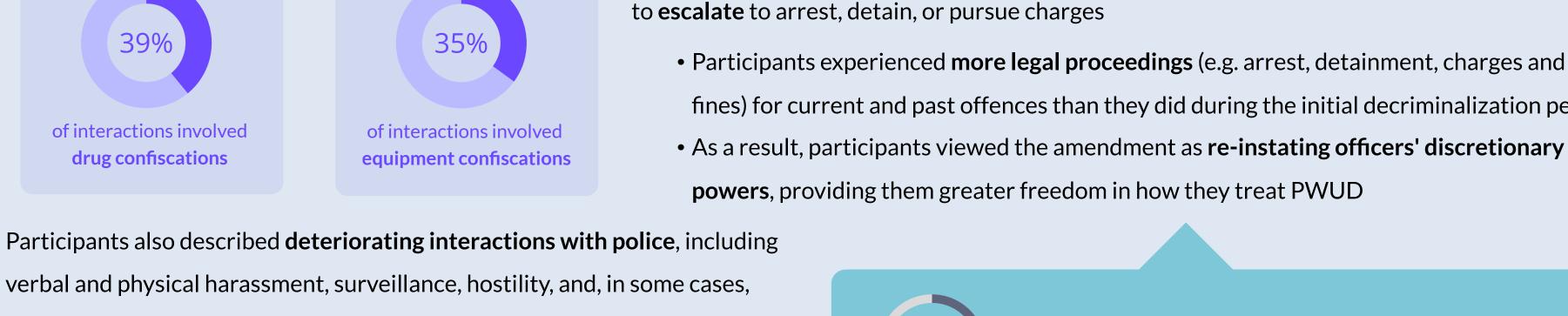
Safety / welfare check

Response to third-party call

Traffic stop

Raid





"The officer came, he kicked me awake and called me a 'junkie',

• 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

participants, likely as most of their drug use occurred indoors or in private places

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."

