

Evaluation of the Decriminalization of Illegal Drugs in British Columbia

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:

People Who Use Drugs (PWUD)

Police & Criminal Justice System

General Public

Health Service System

Economic Impacts

Qualitative Interviews with People Who Use Drugs (PWUD): Perceptions and Interactions with Police

Overview of Decriminalization

- Evaluations of decriminalization's impact on interactions between people who use drugs (PWUD) and police and their outcomes is crucial to understand whether the policy is meeting its intended goals, and inform policy adjustments, especially in light of the May 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

Re-criminalization 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 where people are legally sheltering
- Overdose prevention, drug checking and supervised consumption sites
- Places that provide out-patient addiction services (e.g. RAACs/RAAMs)

Methods

- Between February and April 2025, we conducted qualitative telephone-based interviews with a diverse sample of **n=75 PWUD** across BC, exploring aspects related to their drug use experiences and related risks
- 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 police since decriminalization
- Interview data was synthesized using both qualitative and content analysis approaches

Results

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

Substance	Percentage
Methamphetamine	66%
Crack-cocaine	49%
Illegals/street opioids	46%
Psychodelics/hallucinogens	22%
Powder cocaine	7%
Stimulant and opioid combinations	3%
Non-prescribed stimulants	3%

90% Used substances daily

98% Used inhalation as their primary route of administration

24% Experienced an opioid overdose in the last 30 days

12% Experienced a benzodiazepine/tranquillizer overdose within the last 30 days

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**

REASON FOR INTERACTIONS (n=11)

Reason	Percentage
Response to third-party call	36%
Safety / welfare check	9%
Stop-and-search	9%
Follow-up / previous charges	9%
Traffic stop	18%
Raid	18%

"[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

"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."

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

Perceptions and Interactions with Police during Re-Criminalization

Of the 41 drug-related interactions reported, **26 (63%)** occurred during the re-criminalization 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

REASON FOR INTERACTIONS (n=26)

Reason	Percentage
Public interest	31%
Traffic stop	27%
Follow-up / previous charges	15%
Safety / welfare check	8%
Response to third-party call	8%
Raid	8%
Stop-and-search	4%

"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."

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 PWUD

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

- 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

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 during re-criminalization

- 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, participants living in shelters, transitional housing, or experiencing homelessness reported **more frequent** contact with police and often **harsher outcomes**, as their drug use was **more visible** in public spaces
- Housed participants were more likely to be **let go without charge** than unhoused participants, likely as most of their drug use occurred indoors or in private places

70% of PWUD who reported drug confiscations did not have stable housing

67% of PWUD who underwent legal proceedings did not have stable housing

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."

Implications & Next Steps

- While some participants reported **modest improvements** in police interactions and perceived protection under decriminalization, re-criminalization largely signaled a **return to punitive and predatory policing**
- Findings suggest that the **nature and outcomes of interactions** with police during decriminalization and re-criminalization 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; **broader investment in community health, social, and harm reduction supports** is critical to meet the immediate needs of PWUD and mitigate negative police encounters

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