

Topic	Interactions with law enforcement: Harm Reduction Client Survey 2023
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Data source	2022 and 2023 Harm Reduction Client Surveys
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Key messages

- Since February 2023 in BC, a slightly larger proportion of respondents reported recent interaction with law enforcement. Over half of respondents in each survey (50% in 2022 and 59% in 2023) had contact with police in the last three months.
- Contact with law enforcement that was unrelated to simple possession was commonly noted. Reports of being arrested for drug possession were lower among respondents in 2023 compared to 2022 (3% vs. 12%); the way reasons for arrest were asked changed between 2022 and 2023. In the 2023 Harm Reduction Client Survey (HRCS), 25% of respondents with recent police interactions had unprescribed (including illegal) drugs seized by police.
- There was no change in the proportion of respondents who felt they were treated with respect by law enforcement during their most recent interaction (40% in 2022 versus 36% in 2023).
- Results suggest little change in the frequency or nature of interactions between people who use substances and law enforcement between 2022 and 2023.
- The results represent the perspectives of respondents in the 2022 and 2023 Harm Reduction Client Survey. While these results cannot be generalized to the experiences of all people who use substances in BC, they may be generalizable to people who use substances and who access harm reduction supply distribution sites.

Introduction

The aim of this analysis was to investigate interactions between law enforcement/police and people who use substances (PWUS) since the implementation of the federal decriminalization exemption in BC, using responses to the 2022 and 2023 Harm Reduction Client Surveys (HRCS). The objectives were to describe the

nature of interactions with law enforcement, including whether drugs were seized and in what quantity, and compare interactions pre- and post-decriminalization to identify potential changes and impacts.

More about decriminalization

- Health Canada granted the province of BC an exemption to section 56.1 of the *Controlled Drugs and Substances Act* (CDSA) as of January 31, 2023. Specifically, this exemption decriminalized personal possession of up to 2.5 cumulative grams of opioids, methamphetamine, powder cocaine, crack cocaine, and MDMA for adults in BC. This document will refer to this exemption as decriminalization. More information about the exemption and the province’s monitoring and evaluation activities is available [here](#). Data collection for the 2022 HRCS occurred before implementation of decriminalization and data collection for the 2023 HRCS occurred after the September 8, 2023 amendment came into effect. Please see [this document](#) for a timeline of the HRCS and the decriminalization exemption.
- For additional reports related to decriminalization from the 2022 and 2023 HRCS, please see the [Harm Reduction Client Survey webpage](#) and [Harm Reduction Reports pages](#).

Study Design and Methods

- The 2023 HRCS includes responses from 433 eligible respondents at 23 harm reduction supply distribution sites in BC. Eligible respondents were 19 years or older and reported use of unregulated substances in the last six months. Survey responses were self-reported, anonymous, cross-sectional, and collected between December 5, 2023 and March 8, 2024 (*after* implementation of decriminalization). Respondents received a \$20 honorarium for completing the survey. The 2022 HRCS includes responses from 503 eligible respondents at 29 harm reduction sites across BC. Data were collected between November 2022 and January 2023 (*before* implementation of decriminalization). See the Appendix for more information on survey methods.
- Results from the 2022 and 2023 HRCS are presented together when the same question was asked in both surveys. Statistical comparisons between 2022 and 2023 results cannot be done, but general comparisons can offer insight into the experiences of survey respondents (see the limitations section for details).
- Analyses examined potential factors associated with interacting with law enforcement. Table 1 describes the full list of sociodemographic and substance use variables. A summary of statistics and association tests (Chi-square and Fisher’s exact tests) are presented for 2023 respondents who responded to questions about interactions with law enforcement.

- P-values were calculated to determine whether a result was statistically significant or not. A statistically significant result means that the results were unlikely to happen by chance and the observed effects are real. We set the minimum threshold for statistical significance at $p < 0.005$, meaning a result with p-value of 0.005 or lower is statistically significant. This conservative threshold is used to increase our confidence that the results did not happen by chance.
- Interpretation of these results were done in collaboration with the Professionals for the Ethical Engagement of Peers, a consulting and advisory board comprised of people with lived and living experience of substance use (PWLLE), to ensure appropriate contextualization of these results.

Results

Contact with Police

- In the 2023 HRCS, 59% (233/393) of respondents reported contact with police at least once in the last 3 months; this is a slight increase from 50% of respondents in the 2022 HRCS. In 2023, police contact was significantly higher for respondents who were 40 to 49 years old or who had unstable housing (lived in a shelter or had no regular place to stay; see Table 1). In 2022, police contact was significantly higher for respondents who were 30 to 39 years old ($p < 0.005$).

Police Interactions

- When asked what occurred during any interaction with law enforcement in the previous three months, 2023 HRCS respondents commonly reported the following experiences (n=233, see Table 2a):
 - 49% indicated being intimidated or harassed verbally, physically, or sexually;
 - 48% indicated that police asked for ID or ran their name through the system;
 - 32% indicated being arrested for any reason; and
 - 30% indicated that police did a wellness / health check, or asked if they were okay.
- In comparison, the most frequently reported experiences during police encounters in the 2022 HRCS were: 1) being asked for ID or running name through the system (48%), 2) being arrested for a reason other than selling or possession of drugs (37%), or 3) having syringes or pipes taken away (31%). There was no change in the proportion of respondents who reported that police asked for ID or ran their name through the system.
 - Note that intimidation or harassment by police was not specifically included in the 2022 survey. It was included in the 2023 HRCS survey instrument because it was the most common write in response on the 2022 survey.

- Among 2023 HRCS respondents to the question about being treated with respect during most recent police interaction (n=320), 36% reported being treated with respect, 20% were neutral, and 44% reported not being treated with respect. In the 2022 HRCS, 40% reported being treated with respect, 20% were neutral, and 40% reported not being treated with respect by police (Table 3).

Drug Seizures and Arrests

- Among people who interacted with police in the last 3 months, 25% indicated that police took away drugs not prescribed to them, including illegal drugs (Table 2a). Only 39% (23 of 59) of people who reported having unregulated drugs seized by police provided the quantity of drugs confiscated. Among people who reported the quantity of drug seized, 57% (13 of 23) had 2.5 grams or less seized while 43% (10 of 23 people) had more than 2.5 grams of drugs seized by police (Table 4). These results are similar to the 2022 HRCS. Almost all (87%, 32/37) respondents who had drugs seized by police and provided the name of the drug(s) had at least one decriminalized substance taken away (i.e., methamphetamine, fentanyl, down, heroin, powder cocaine, and/or crack cocaine).
- The proportion of respondents who had contact with police in the last 3 months and were arrested for personal possession was lower in the 2023 survey compared to the 2022 survey (3% vs. 12%, respectively); however, the way this question was asked changed between 2022 and 2023 (Table 2a). See limitations section about this question.
- One third (74/233) of 2023 HRCS respondents with recent police contact said they had been arrested for any reason. The charges that accounted for the largest proportion of arrests were (Table 2b):
 - violation of conditions, a warrant, or breach of probation (n=17, 7%);
 - assault (n=13, 6%); and
 - theft or breaking and entering (n=9, 4%).

Interpretation

- The results suggest that since the implementation of decriminalization in BC, **a large proportion of people who participated in the HRCS had at least one interaction with police** in the previous three months. Across both survey years, over half of respondents had contact with police in the last three months – 50% in 2022 and 59% in 2023. Significantly larger proportions of respondents without stable housing reported interactions with police (64% of those living in shelters and 71% with no usual residence), suggesting ongoing criminalization and surveillance of PWUS, especially people who experience structural inequities such as unstable housing and homelessness.
- In both 2022 and 2023, almost half of respondents with recent police interactions reported having their identification checked or their name run through the system. **Self-reported arrests for drug**

possession were low in both the 2022 and 2023 HRCS (12% and 3% of respondents with police contact, respectively). This finding is consistent with law enforcement data demonstrating that since the implementation of decriminalization there has been a decrease in recorded drug possession arrests compared to previous years (MMHA, 2024).

- **Twenty-five percent of 2023 HRCS respondents who interacted with police in the last three months reported seizure of unprescribed drugs;** a similar proportion to 2022 HRCS (28%). Among the 2023 HRCS respondents who had drugs seized by police, over half reported having amounts covered by the decriminalization exemption (i.e., less than or equal to 2.5 grams) seized. The proportion of respondents who said that police confiscated drugs is much larger than the proportion who reported being arrested for personal possession (25% vs. 3%, respectively). The HRCS did not ask where drugs were seized and there are specific locations where decriminalization does not apply; some of the HRCS responses may account for these instances. However, findings seem to indicate that police confiscated drugs in amounts and/or locations where personal possession is permitted under the exemption. Police discretion is defined as the ability of police to decide how and when to enforce and interpret policies (Greer et al., 2023; Michaud et al., 2024) and has been demonstrated to negatively impact people already experiencing social and health inequities (Hayashi et al., 2023). Discretion can look like differing knowledge of and training in the appearance and weight of unregulated substances covered by the exemption and discrimination in police practices which results in the inconsistent application of decriminalization across jurisdictions and between police officers in BC (Greer et al., 2023; Michaud et al., 2024).
- Respondents shared that **other items were taken by police:** 26% reported harm reduction supplies being taken away and 15% reported having their prescription medications taken away; these proportions are similar to those reported before decriminalization came into effect (Xavier CG, 2023). This is consistent with research in communities with de facto decriminalization which found a decrease in arrests for drug possession but continued confiscation of drugs by police and consistent interactions with law enforcement among PWUS (Ali et al., 2023; Hayashi et al., 2023; Smiley-McDonald et al., 2024).
- With increased reliance on police discretion for drug possession in public spaces following the revision to decriminalization that came into effect in May 2024, law enforcement officials may benefit from ongoing training on the scope of the exemption, appearance and weight of the unregulated substances covered by the exemption, and the harms associated with confiscating substances, prescription medications, and harm reduction supplies.

- **The proportion of respondents who felt they were treated with respect in their last encounter with law enforcement is low** and unchanged (36% in 2023 versus 40% in 2022). Results from this analysis are consistent with research on decriminalization in BC that describes how the exemption, which aims to reduce police interactions for PWUS, may reduce arrests for personal possession without reducing police contact among PWUS (Ali et al., 2023; Greer, 2023).
- Analyses of data collected from the HRCS provide some insights into the ways law enforcement officials interact with PWUS. More work is needed to describe the relationships between police interactions and the substance use and sociodemographic characteristics of PWUS.

Limitations

- Respondents in the 2023 HRCS are a convenience sample of clients who visited a participating harm reduction supply distribution site in BC. These results are not generalizable to the experience of all people who use harm reduction services or to all PWUS in BC and their diverse experiences of interacting with law enforcement. Results from the HRCS provide some insight into socio-demographic characteristics that may influence whether someone interacts with law enforcement but does not account for all perspectives of people accessing the illegal drug supply or the impact of decriminalization.
- Respondents in the HRCS are anonymous, thus it is not possible to determine if respondents are the same in the 2022 and 2023 survey. This limits the ability to do statistical tests. Comparisons between results from the 2023 and 2022 HRCS presented in this knowledge update should be interpreted with caution.
- Although results from the HRCS provide some insights into the experiences of PWUS during the first year of decriminalization, these results must be interpreted alongside other quantitative and qualitative sources of information to evaluate the impacts of decriminalization. These results reflect the perspectives of people who accessed harm reduction sites at the time of data collection, but not all PWUS visit harm reduction supply distribution sites. This report summarizes experiences of people who access harm reduction sites, as part of the broader evaluation of decriminalization. Some questions asked in the 2022 survey were modified for the 2023 survey so responses may not be directly comparable.
- Survey responses are self-reported, and the accuracy of responses cannot be assessed. Many sites had someone available to support people to complete the survey; however, the presence of a support person may have affected how respondents answered. BCCDC continues to look for new ways to

support people completing the survey and help them provide honest responses that can be used to improve services and supports for people who use harm reduction services.

- Consistent with BCCDC policies to reduce the risk of survey respondents being identified, subgroup results are only presented when there are at least 20 respondents.
- The question about what occurred during interactions with law enforcement encompassed any police contact in the previous three months and may represent multiple interactions per person. The survey did not ask respondents how many times they interacted with police in the previous three months.
- A small number of people reported having drugs seized by police (n=59) and few provided a quantity for the amount seized (n=23). Therefore, these results may be an underestimate or overestimate of the actual values and caution is required when interpreting these results.

Supporting Information

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Document citation

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Tables

Table 1. Characteristics of respondents who interacted with police in the last 3 months compared to respondents who did not. Harm Reduction Client Survey 2023.

Characteristic	Overall, N = 393	Interacted with police in last 3 months		
		Yes, N = 233 (59%)	No, N = 160 (41%)	p-value
Health Authority (survey site)	393			0.3
Interior	65	44 (68%)	21 (32%)	
Fraser	81	49 (60%)	32 (40%)	
Vancouver Coastal	71	35 (49%)	36 (51%)	
Island	81	50 (62%)	31 (38%)	
Northern	95	55 (58%)	40 (42%)	
Community size (2021 census population centre)	393			0.9
Small population centre (1,000 to 29,999)	168	99 (59%)	69 (41%)	
Medium population centre (30,000 to 99,999)	48	30 (63%)	18 (38%)	
Large urban population centre (100,000 or more)	177	104 (59%)	73 (41%)	
Type of current residence	369			0.004
Private or band owned residence	75	38 (51%)	37 (49%)	
Another residence (e.g., hotel/motel, SRO, supportive housing)	101	50 (50%)	51 (50%)	
Shelter	77	49 (64%)	28 (36%)	
No regular place to stay (homeless, tent, couch-surf)	116	82 (71%)	34 (29%)	
Age group	383			<0.001
19 to 29	33	21 (64%)	12 (36%)	
30 to 39	108	69 (64%)	39 (36%)	
40 to 49	127	86 (68%)	41 (32%)	
50 or older	115	50 (43%)	65 (57%)	
Gender	385			0.4
Man	238	147 (62%)	91 (38%)	
Woman	131	71 (54%)	60 (46%)	

Characteristic	Overall, N = 393	Interacted with police in last 3 months		
		Yes, N = 233 (59%)	No, N = 160 (41%)	p-value
Sexual orientation	368			>0.9
Heterosexual or straight	306	185 (60%)	121 (40%)	
Gay, Lesbian, Bisexual/Pansexual, Queer, Asexual, Unsure/questioning	62	38 (61%)	24 (39%)	
Employment	375			0.046
Full time (at least 30 hours a week)	20	12 (60%)	8 (40%)	
Part time (less than 30 hours a week)	59	26 (44%)	33 (56%)	
No employment	296	182 (61%)	114 (39%)	
Frequency of substance use in the last 30 days	379			0.6
Every day	305	185 (61%)	120 (39%)	
A few times a week	43	23 (53%)	20 (47%)	
A few times a month or less	31	17 (55%)	14 (45%)	
Injection drug use, last 6 months	376			0.2
Yes	176	111 (63%)	65 (37%)	
No	200	111 (56%)	89 (45%)	
Inhalation drug use, last 6 months	375			0.4
Yes	341	204 (60%)	137 (40%)	
No	34	17 (50%)	17 (50%)	
Drug use at overdose prevention site (OPS) / supervised consumption site (SCS), last 6 months	371			0.3
Yes	242	149 (62%)	93 (38%)	
No	129	71 (55%)	58 (45%)	
Used opioids in last 3 days (fentanyl, heroin)	393			>0.9
Yes	259	153 (59%)	106 (41%)	
No	134	80 (60%)	54 (40%)	
Used stimulants in last 3 days (meth, coke, crack)	393			0.2
Yes	283	174 (61%)	109 (39%)	
No	110	59 (54%)	51 (46%)	

Characteristic	Overall, N = 393	Interacted with police in last 3 months		
		Yes, N = 233 (59%)	No, N = 160 (41%)	p-value
Frequency of using drugs alone in the last 30 days	364			0.2
Every day	190	117 (62%)	73 (38%)	
A few times a week	94	59 (63%)	35 (37%)	
A few times a month	48	22 (46%)	26 (54%)	
Did not use drugs alone	32	21 (66%)	11 (34%)	

Table 2a. Details of police interactions in the last 3 months among respondents with recent law enforcement encounter. Harm Reduction Client Survey 2022 and 2023.

Details of police interaction	2023 N = 233	2022 N = 235
Intimidated or harassed verbally, physically, or sexually [^]	115 (49%)	--
Asked for ID / ran name through the system, checked release conditions	113 (48%)	116 (49%)
Arrested for any reason*	74 (32%)	94 (40%)
Arrested for drug possession*	7 (3%)	27 (12%)
Arrested for a reason other than drug possession*	52 (22%)	88 (37%)
Did a wellness or health check / asked if you were okay	70 (30%)	59 (25%)
Took away rigs or pipes	60 (26%)	72 (31%)
Took away drugs not prescribed, including illegal drugs	59 (25%)	65 (28%)
Took away prescribed drugs	36 (15%)	22 (9%)
Provided information about health or harm reduction services	32 (14%)	18 (8%)
Confiscation or destruction of belongings	6 (3%)	4 (2%)

[^] The response option “Intimidated or harassed verbally, physically” was added for 2023 as it was a common free-text response in 2022. A small number of respondents wrote in that they were sexually harassed or assaulted by law enforcement, and these responses were grouped with verbal and physical intimidation or harassment for analysis.

* In 2022, there were three response options about arrests: arrested for personal possession, arrested for selling drugs, or arrested for other reasons. In 2023, respondents were asked if they were arrested and to specify the reason for arrest in a free text response.

Table 2b. Reasons for arrest* among respondents who were arrested at least once in the last 3 months and among respondents who interacted with police in the last 3 months. Harm Reduction Client Survey 2023.

Reason for arrest*	Respondents reporting an arrest, N = 74	Respondents with recent police contact, N = 233
Warrant / Violation of Conditions / Breach of Probation	17 (23%)	17 (7%)
Assault	13 (18%)	13 (6%)
Theft / Breaking and Entering	9 (12%)	9 (4%)
Wrongfully Arrested / No Perceived Reason	8 (11%)	8 (3%)
Drug possession	7 (9%)	7 (3%)
Public Disturbance / Intoxication	5 (7%)	5 (2%)
Drug Trafficking	3 (4%)	3 (1%)
Other	8 (11%)	8 (3%)
Reason for arrest missing	15 (20%)	15 (7%)

* Reason for arrest was derived using free-text responses. These cells should be interpreted with caution.

Table 3. Treatment with respect during last police interaction. Harm Reduction Client Survey 2022 and 2023.

The last time I interacted with police I was treated with respect	2023 HRCS, N = 320	2022 HRCS, N = 464
Agree	116 (36%)	186 (40%)
Neutral	63 (20%)	91 (20%)
Disagree	141 (44%)	187 (40%)

Table 3 excludes respondents who said they had never had contact with police.

Table 4. Quantity of drugs seized among respondents who had drugs taken by police in last 3 months. Harm Reduction Client Survey 2022 and 2023.

Quantity	2023 HRCS, N = 59	2022 HRCS, N = 65
2.5 grams or less	13 (22%)	14 (22%)
More than 2.5 grams	10 (17%)	13 (20%)
Not reported	36 (61%)	38 (58%)

Appendix I - Methods

Additional details about the methods used for completing and analysing 2023 Harm Reduction Site Client Survey data:

- The 2023 HRCS included questions on substance use, barriers to accessing prescribed alternatives to the toxic supply, BC's decriminalization policy, experiences with overdose, and interactions with law enforcement. Questions about social and demographic characteristics of survey respondents were also included.
- Harm reduction supply distribution sites across BC were invited to participate based on geographical representation, site capacity, and interest of the site and its clients. Quantitative surveys were distributed at 23 harm reduction distribution sites in small, medium, and large population centres across the five regional health authorities (Interior: 4 sites, Fraser: 4 sites, Vancouver Coastal: 5 sites, Island: 4 sites, Northern: 6 sites). Each participating site completed between 10 and 30 surveys.
- People are eligible to participate in the survey if they:
 - Are 19 years of age or older and
 - Used a drug that is illegal or from the unregulated market (for example: opioids/down, heroin, fentanyl, powder cocaine, crack cocaine, methamphetamine, hallucinogens, etc.) in the previous six months.
- BCCDC received 447 completed surveys. We excluded fourteen ineligible surveys, resulting in a total of 433 eligible surveys.
- The HRCS is a paper survey, and BCCDC shares additional information with sites to help people understand and respond to questions. BCCDC recommends that site staff assist respondents to complete the survey, but this was not possible in all locations.
- Respondents received a \$20 cash honorarium for their time to do the survey. Sites were provided with \$5 per respondent to cover any small costs for administering the survey (e.g., snacks, pens).
- The 2022 HRCS was implemented following similar methods. The 2022 survey followed the same inclusion criteria of 2023. Respondents in the 2022 survey could also participate if they took opioid agonist treatment or prescribed alternatives in the previous six months. The 2022 survey was distributed at 29 harm reduction sites across BC between November 2022 and January 2023; 503 eligible surveys were completed. Sites were selected from across British Columbia (Interior: 7 sites, Fraser: 6 sites, Vancouver Coastal: 4 sites, Island: 6 sites, Northern: 6 sites). Respondents received a stipend of \$15 to participate in the survey.

For more HRCS reports and outputs see the [Harm Reduction Client Survey webpage](#) and [Harm Reduction Reports pages](#).