

STAFF REPORT TO PUBLIC SAFETY COMMITTEE

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DATE: May 13, 2024

TO: STANDING COMMITTEE ON PUBLIC SAFETY

NAME AND TITLE: Walter Babicz, City Manager

SUBJECT: Illicit Drug Decriminalization Changes

ATTACHMENT(S):

1. Statement from UBCM dated May 8, 2024 titled “Federal Government approves decriminalization changes”
2. Statement from Minister of Mental Health and Addictions and Associate Minister of Health dated May 7, 2024 titled “British Columbia’s exemption will now prohibit possession of controlled substances in public spaces”

RECOMMENDATION(S):

That the Standing Committee on Public Safety RECEIVES FOR INFORMATION the report dated May 13, 2024 from the City Manager titled “Illicit Drug Decriminalization Changes”.

PURPOSE:

This report is submitted for information.

BACKGROUND:

Exemption – January 2023

Effective January 31, 2023, the federal Minister of Mental Health and Addictions and Associate Minister of Health granted an exemption under the *Controlled Drugs and Substances Act* (CDSA) related to personal possession of certain controlled substances in the province of British Columbia. The pilot project was planned to be in effect until January 31, 2026.

Under the original exemption, adults aged 18 years of age and older in BC could not be arrested or charged for the possession of a cumulative amount of up to 2.5 grams of opioids (e.g. heroin, morphine, and fentanyl), cocaine (including crack and powder cocaine), methamphetamine (meth), or MDMA (ecstasy) for personal use. Exceptions to this exemption were included so that it did not apply in places where the provincial and federal government determined that personal possession would create undue public safety concerns (e.g. airports, daycares, schools, etc.).

Amendment – September 2023

In September 2023, at the request of British Columbia, the original exemption was amended to prohibit possession in additional areas designed primarily for youth including, within 15 meters of a public outdoor playground, spray pool or wading pool, or skate park. This came into effect on September 18, 2023.

Amendment – May 2024

Since the exemption came into effect in January 2023, a number of BC municipalities, law enforcement officials, health sector workers, and community members have raised concerns about increasing public drug use and that law enforcement does not have tools to address public drug use.

On April 26, 2024, British Columbia submitted an amendment request to address these concerns. Effective May 7, 2024, the federal Minister of Mental Health and Addictions and Associate Minister of Health granted BC's request to prohibit possession of controlled substances in public spaces.

Exemptions will continue to apply in private residences, healthcare clinics as designated by the province of BC, places where people are lawfully sheltering, and overdose prevention and drug checking sites.

The attached statement from the UBCM, and the attached statement from Minister of Health and Addictions and Associate Minister of Health provide further details and commentary on these changes.

SUMMARY AND CONCLUSION:

This report is provide to the Committee for information and discussion as it relates to the Committee's mandate in its Terms of Reference.

RESPECTFULLY SUBMITTED:

Walter Babicz, City Manager

Meeting Date: 2021/05/21