

**BC and the federal government have now recriminalized most outdoor drug possession and use in BC**



Under the new “decriminalization” policy, people who are 18+ can only possess (and use) drugs:

- 1. At designated health care clinics: This includes overdose prevention and drug checking sites, but NOT hospitals or medical clinics.**
- 2. If you are unhoused, and sheltering in accordance with all laws (including bylaws).**
- 3. In private residences.**

**Exemptions only protect you if you possess up to an overall maximum of:**

**2.5 grams of:  
cocaine  
methamphetamine  
opioids  
MDMA  
or a combination of these  
drugs/substances**

**If you possess more than 2.5 grams of any substance, or any amount of a non-exempted substance, you can still be charged with possession.**

**Splitting, sharing, and trafficking remains illegal in all locations.**

Effectively, the BC NDP has made outdoor drug possession and use illegal. 70-80% of overdose deaths occur in private residences each month.

**WHAT DOES THIS MEAN FOR ME?**

**Under the new rules, police can once again arrest you for possession and use of drugs if you are not in one of the three places listed.**

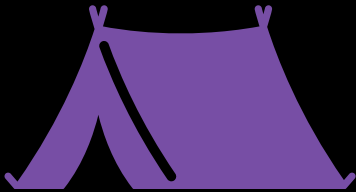


Compassion clubs, sharing a safe supply, and/or selling drugs to cover your basic survival needs are still considered illegal.

**\*Decrim policy is currently slated to end January 31, 2026. This resource is current to the date it was published (Aug. 19, 2024)**

# FOR PEOPLE SHELTERING OUTDOORS

If you are unhoused, you can now only possess and use drugs where you are sheltering in accordance with all laws, including local bylaws. This makes it very difficult to use drugs in a safe manner without risk of arrest given that there are very few places to legally shelter.



Most municipalities in BC currently only permit sheltering overnight in certain public parks.

You know best what enforcement looks like, Keep 6 and be aware that recriminalization will likely lead to an increase in police power.

# IF YOU ARE CONFRONTED BY POLICE

In most cases, you have the right to remain silent, even if the police keep asking you questions. You must provide your name and address (if you have one) if you are under arrest for a criminal offence or police say you have broken a law (including provincial laws or bylaws), or a police officer is giving you a ticket (for breaking a law), an appearance notice, or summons.

- Ask “Am I free to go?” If they say no, ask for a lawyer.
- If you are detained (not allowed to leave) or arrested by police, you have the right to know why.
- If the police ask to search you or your belongings, tell them: “I do not consent to a search”.
- Do not physically resist the police if they arrest or search you, as this could lead to criminal charges or more violence. Passive resistance (AKA going limp) does not count as resisting arrest.
- Do not give a fake name or address if you are arrested or ticketed by the police, as you could face more charges for doing so.
- Call for a witness when you are being confronted by police. A buddy can film or take notes.

# WHAT ARE MY RIGHTS?

**You should not be arrested for drug possession or drug use if you are at an OPS, an SCS, in a designated clinic, in a private residence, sheltering legally or (for drug possession only) at a drug checking facility.**

If you are in housing protected by the Residential Tenancy Act (this includes SROs and Supportive Housing) you are likely still protected by the exemption. In other types of housing/shelter your protection is less clear and may vary based on what rules are in place.

**PIVOT**  
LEGAL SOCIETY

STOP THE  
STREET SWEEPS 



**BC  
CLA**



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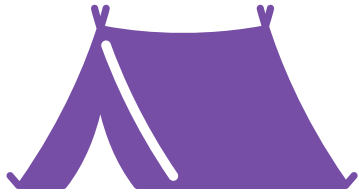


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