



The *Good Samaritan Drug Overdose Act* in British Columbia

Attitudes, Knowledge and Implementation Among Police Officers and People Who Are at Risk of Witnessing an Overdose

Presented by **Jessica Xavier, Brad Kievit, Emma Ackermann** on behalf of Alissa Greer, Max Ferguson, Zahra Mamdani, Jackson Loyal, Heather Palis, Amanda Slaunwhite, Bernie Pauly, Skye Barbic, Jane Buxton

*We would like to respectfully acknowledge that our research was conducted across the unceded, ancestral and stolen **territories of 198 First Nations** and that the BC Centre for Disease Control and many of the research team members work, live and play on the unceded, ancestral and stolen **territories of the x^wməθk^wəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and sel̓ilwítulh (Tseil-Waututh) Nations***

Presentation Overview

Background

Study Methods & Findings

- 1. Good Samaritan Drug Overdose Act (GSDOA) survey*
 - 2. Interviews with youth & adults at risk of witnessing an overdose*
 - 3. Interviews with police officers*
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Implications & Recommendations

What is the *Good Samaritan Drug Overdose Act*?

THE GOOD SAMARITAN DRUG OVERDOSE ACT IS NOW LAW

THE LAW SAYS:

If you are at the scene of an overdose and you or someone else calls 911 to get medical assistance, **you are not to be charged with simple possession** (possession for your own personal use) of an illegal substance.

You are also **not to be charged for breach of probation or parole** relating to simple drug possession.



IF YOU SUSPECT AN OVERDOSE,

CALL 911

CALLING 911 SAVES LIVES

After calling 911, give **breaths** and **naloxone** if you have it.

Stay with the person until help arrives.



For more information, visit:

http://www.pivotallegal.org/good_samaritan_drug_overdose_act_rights_card

or:

<http://canada.ca/opioids>

September 14, 2017



BC Centre for Disease Control



THE GOOD SAMARITAN DRUG OVERDOSE ACT

RECEIVED ROYAL ASSENT ON MAY 4TH, 2017

This enactment amends the Controlled Drugs and Substances Act to exempt persons seeking emergency medical or law enforcement assistance for themselves or for others at an overdose from being charged for **simple possession** or for **violation of pre-trial release, probation order, conditional sentence, or parole related to simple possession**, if the evidence in support of that offence was obtained or discovered as a result of seeking assistance or remaining at the scene. This applies to any person at the scene upon the arrival of assistance, including the person who overdosed.



Please refer to Bill C-224 for details.



BC Centre for Disease Control

IF YOU SUSPECT AN OVERDOSE, CALL 911

STAY WITH THE PERSON UNTIL HELP ARRIVES

THE LAW DOES PROVIDE PROTECTION FROM CHARGES FOR:	THE LAW DOES NOT PROVIDE PROTECTION FROM CHARGES FOR:
Simple possession (personal use)	Selling illegal drugs (trafficking)
	Offences other than drug possession
	Any outstanding arrest warrants
Violation of pre-trial release, probation order, conditional sentence, or parole related to simple possession	Violation of pre-trial release, probation order, conditional sentence, or parole for an offence other than simple possession

Why did we need the *GSDOA*?

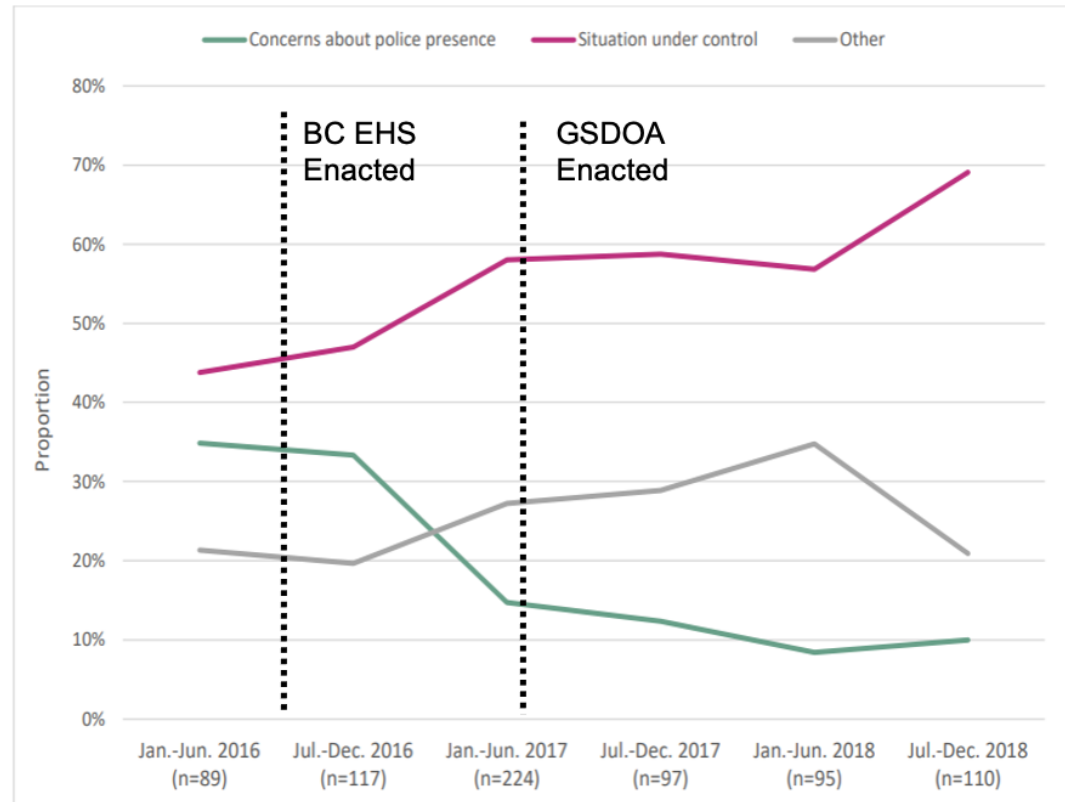


- Public health emergency declared in BC April 2016 due to an increase in opioid overdoses (BC Ministry of Health, 2016)
- Previous evidence suggests most overdoses occur in presence of bystanders (Martins et al 2015; Karamouzian et al., 2019)
- By-standers delay/don't call 911 at overdose events for fear of police involvement (Canadian Centre on Substance Abuse, 2017)
- To overcome this concern:
 - June 2016, **BC Emergency Health Services policy** introduced to not routinely inform police in the event of an overdose (Mehta et al., 2021)
 - May 2017, Federal **Good Samaritan Drug Overdose Act** (Government of Canada, 2019) enacted to provide some protection from arrest at the scene of an overdose

Bystanders still express hesitancy to call 9-1-1 in overdose situations

- In 2016, among those who reported using a THN kit in BC, only 64% had called 9-1-1.
- Most commonly cited reasons for not calling between Jan-Jun 2016 were:
 - Situation seemed under control (47%)
 - Concerns about police presence (38%)
- After BCEHS and GSDOA policies were introduced, concerns about police reduced though not completely.

Reasons for not calling 9-1-1 at an overdose event



GSDOA evaluation project

Unlocking the Gates Program survey

- The Unlocking the Gates Peer Health Mentoring Program aims to support people in the first 3 days after release from prison. As part of this program, a survey is administered before release.
- Questions were added to assess knowledge of the GSDOA and access to naloxone.

Interviews with youth

- Youth between the ages of 16-24 years old will also be invited to participate in a more in-depth one-on-one interview over the phone

Online survey with youth

- To determine whether there are differences in youths' knowledge, and attitudes around the GSDOA, youth between the ages of 16-24 will be invited to complete a survey online.
- Foundry is a network of health & social service centres for young people, and will be supporting province-wide recruitment

Interviews with people who are at-risk of experiencing or witnessing an overdose

- People with living/lived experience of overdose and/or witnessing overdoses will be invited to participate in a one-on-one interview over the phone to share their experiences of overdose and calling 9-1-1 as well as their knowledge, understanding and attitudes around the GSDOA.



Take home naloxone (THN) administration form

- THN program provides overdose response training and kits containing naloxone. Administration forms are submitted after naloxone has been used. Data is entered and analysed to explore if 9-1-1 was called and, if not, why.
- Changes in trends before & after GSDOA implementation were examined.

Harm reduction client survey (HRCS)

- The HRCS is an annual survey assessing substance use trends, and the use of harm reduction supplies among clients accessing harm reduction supply distribution sites in B.C. Questions were added to assess clients' knowledge of the GSDOA

Key informant interviews with police officers

- 22 interviews have been conducted with municipal police officers in: West Vancouver, Vancouver, Victoria, Abbotsford and RCMP officers in: Prince George, Kelowna, Vernon, Campbell River
- Preliminary findings will be shared soon.
- Based on findings, educational materials will be developed and piloted with participating police departments

Surveys with people who are at-risk of experiencing or witnessing an overdose

- People picking up a Take Home Naloxone kit at THN sites were identified as being at risk of experiencing or witnessing an overdose.
- Clients will be invited to complete a survey about their experiences of overdose and calling 9-1-1 as well as their knowledge and attitudes towards the GSDOA. The survey will also be available online.

GSDOA Evaluation Methods



Quantitative

Harm Reduction Client Survey (N=581)

- GSDOA questions added HRCS survey Oct-Dec 2019
- **Analysis:** Descriptive & multivariable regression

Unlocking the Gates Survey (N=137)

- GSDOA questions added to UTG survey; completed by participants on release from correctional facilities
- **Analysis:** Descriptive and bivariate logistic regression

Qualitative

Interviews with police officers (N=22)

- Jan-May 2020; RCMP and municipal police officers across BC
- **Analysis:** A combination of inductive and deductive coding and a thematic

Multi Methods

People at risk of experiencing/witnessing an OD Surveys (N=493) & interviews (N=28)

Surveys:

- People receiving a THN kit at sites across BC invited to complete a paper GSDOA survey. Survey also available online.

- **Analysis:** Descriptive and bivariate logistic regressions

Interviews:

- People at risk of experiencing or witnessing an overdose were invited, by key peer research assistants across BC

- **Analysis:** Combination of inductive and deductive coding and thematic analysis to identify patterns in the data

Youth: Surveys (N=113) & interviews (N=15)

Surveys:

- Youth aged 16-24 years were invited to complete a survey at THN sites or online through Foundry and various youth organizations

Interviews:

- Recruitment posters via Foundry and youth organizations invited youth to participate in a one-on-one interview

- **Analysis:** as above for adults

Project Sites

Study & Foundry sites:

VCH

- ✓ Vancouver
- ✓ North Shore

FH

- ✓ Abbotsford

IH

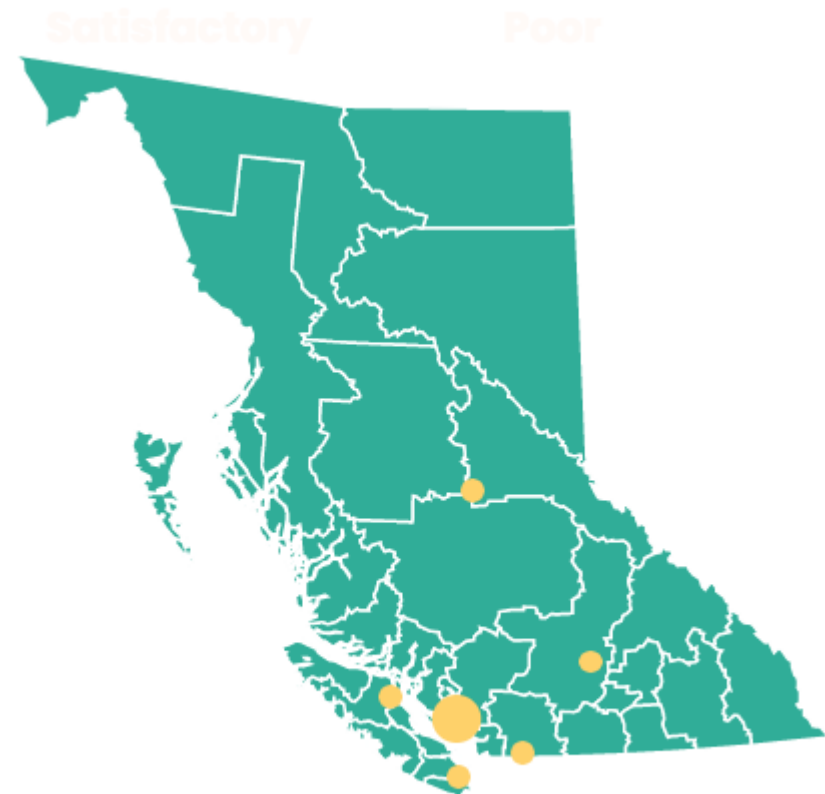
- ✓ Kelowna

IsH

- ✓ Victoria
- ✓ Campbell River

NH

- ✓ Prince George



Our research questions were:

Are people at risk of experiencing or witnessing an OD aware of the GSDOA and what is their knowledge about the GSDOA's legal protections?

What are the experiences of people at risk of experiencing or witnessing an OD with first responders at overdose events?



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GSDOA Survey - Methods

Data Collection:

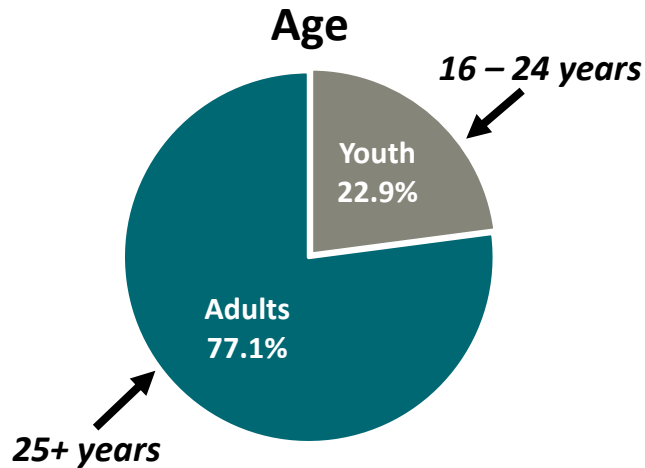
- **Adults** (n = 380): People picking up a THN kit at 19 THN sites across BC were invited to complete a GSDOA survey. The survey was also available online.
- **Youth** (n = 113): Foundry promoted the online survey through their platform and networks.
- Collected between October 2020 and April 2021 and entered in Qualtrics.

Analysis:

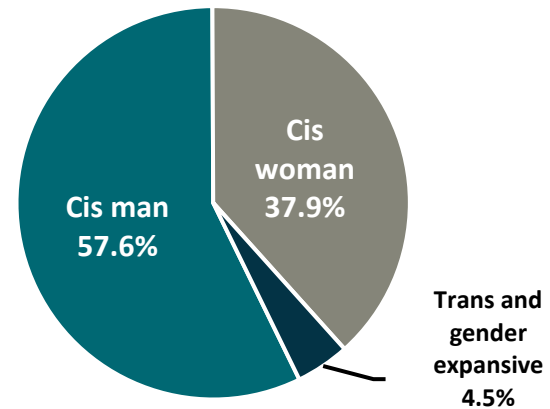
With support from the larger quantitative team, we:

- Conducted descriptive summaries.
- Conducted bivariate analyses.
- Developed multivariable logistic regression models.

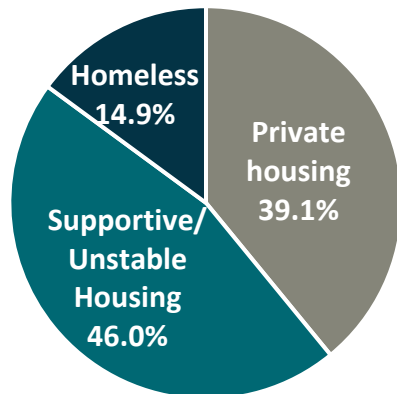
Descriptive Overview



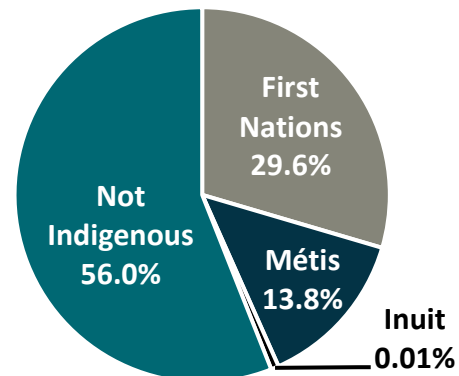
Gender Identity



Housing Situation

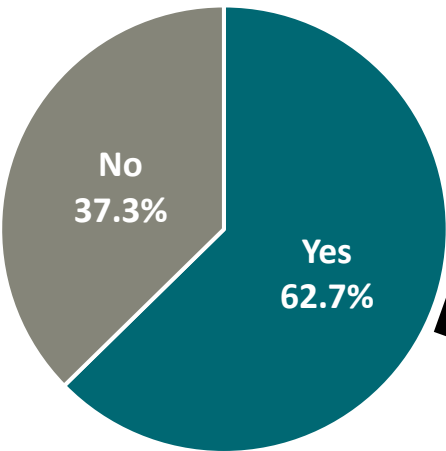


Indigeneity

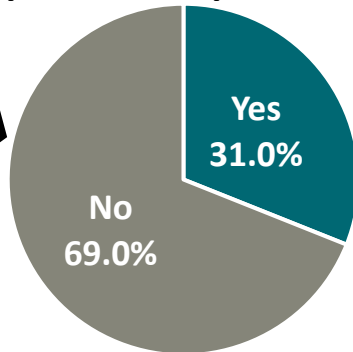


Descriptive Overview

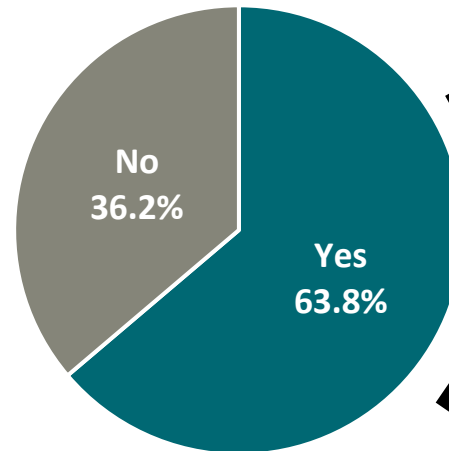
Opioid Use



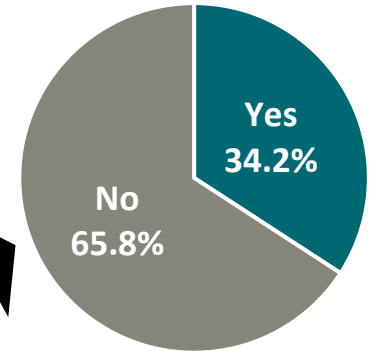
Opioid OD experienced



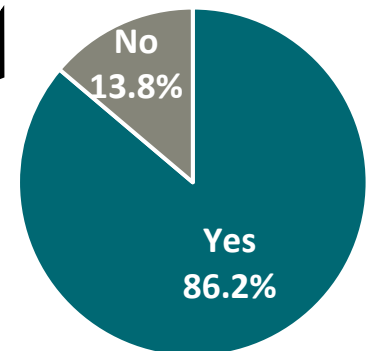
Opioid OD Witnessed



Police attended at last OD witnessed



9-1-1 called at last OD witnessed

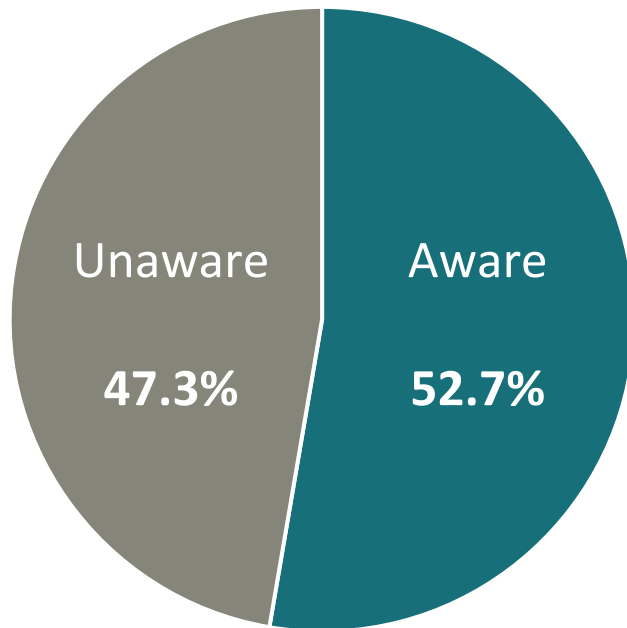


Bivariate Analysis

GSDOA Awareness

“Have you heard about the Good Samaritan Drug Overdose Act (GSDOA)?”

- Yes/No ($n = 453$)
- Prefer not to say/Missing ($n = 40$)



Increased GSDOA awareness among:

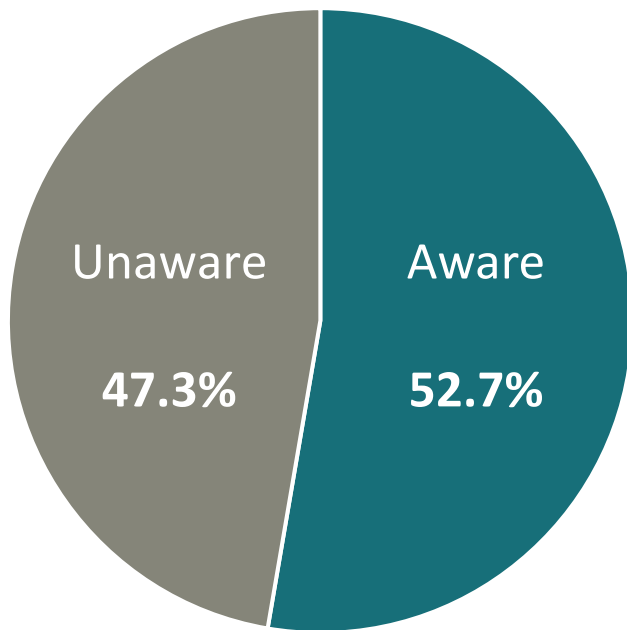
($p < 0.05$)

- Adults between the ages of 25 – 34 compared to youth (16 – 24 years)
- Participants who own a cellphone
- Those who felt at risk of experiencing or witnessing an overdose in the last 6 months
- Participants who used opioids in the last 6 months
- Those who had witnessed an overdose in the last 6 months

Multivariable Logistic Regression

GSDOA Awareness

“Have you heard about the Good Samaritan Drug Overdose Act (GSDOA)?”



Increased GSDOA awareness among:

($p < 0.05$)

- Adults **between the ages of 25 – 34** compared to youth (16 – 24 years)
 - *Adjusted odds ratio = 2.18 (95% CI: 1.09, 4.35)*
- Participants who own a **cellphone**
 - *Adjusted OR = 2.36 (95% CI: 1.44, 3.86)*
- Those who had **witnessed an opioid overdose** in the last 6 months
 - *Adjusted OR = 2.29 (95% CI: 1.42, 3.70)*

GSDOA Understanding



Two types of GSDOA knowledge questions (n = 231):

Who is protected:

“Do you believe the GSDOA protects the following people from being arrested for simple possession of substances (small amount of drugs for own use) at the scene of an overdose?”

- A: The person who calls 9-1-1
- B: The person who overdoses
- C: Anyone at the scene of an overdose

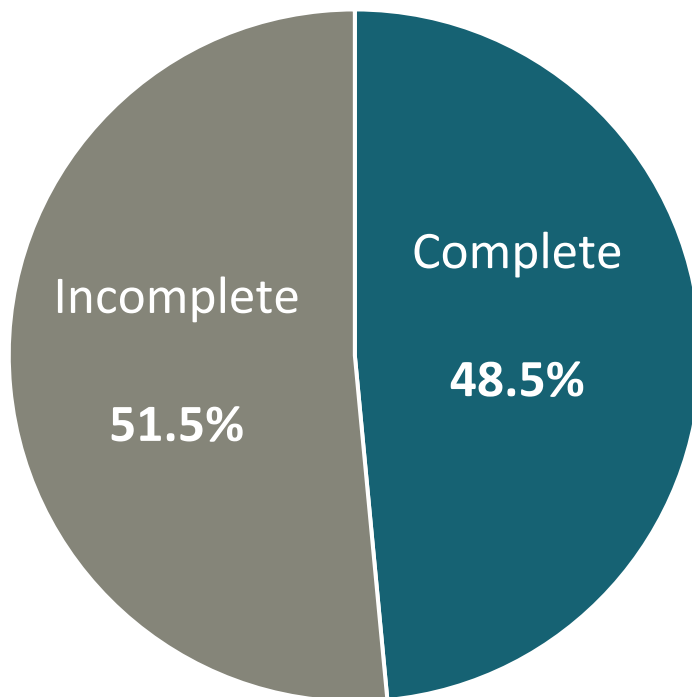
When is protection afforded:

“Imagine there is an overdose in a public space; 9-1-1 is called and the police come to the scene. Do you think the police can legally arrest a person if they:”

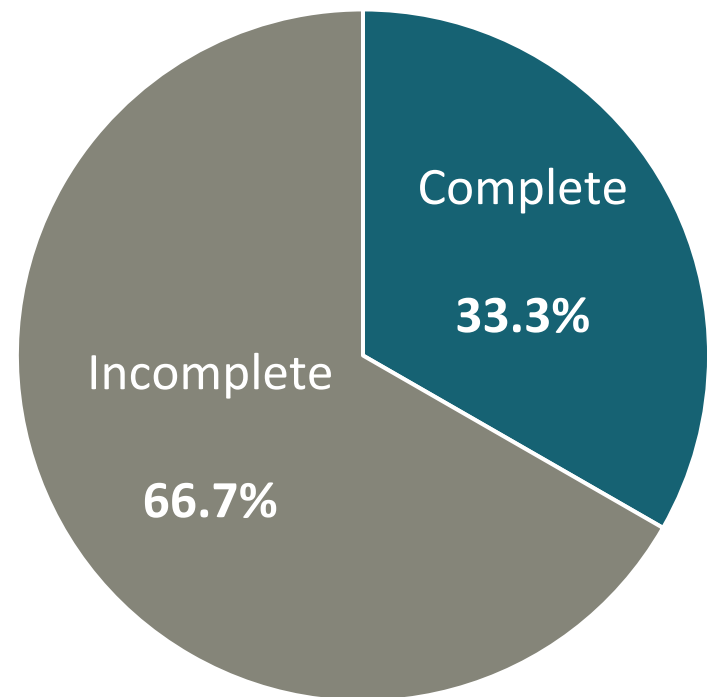
- A: Have a larger amount of drugs on them or items (eg. scale) that may look like they are involved in drug dealing?
- B: Are in a red/no-go zone they received for a previous charge that was not simple drug possession (eg. theft)?
- C: Have an outstanding warrant for something other than simple drug possession (eg. theft)?

GSDOA Understanding

Understanding of **who** is legally protected



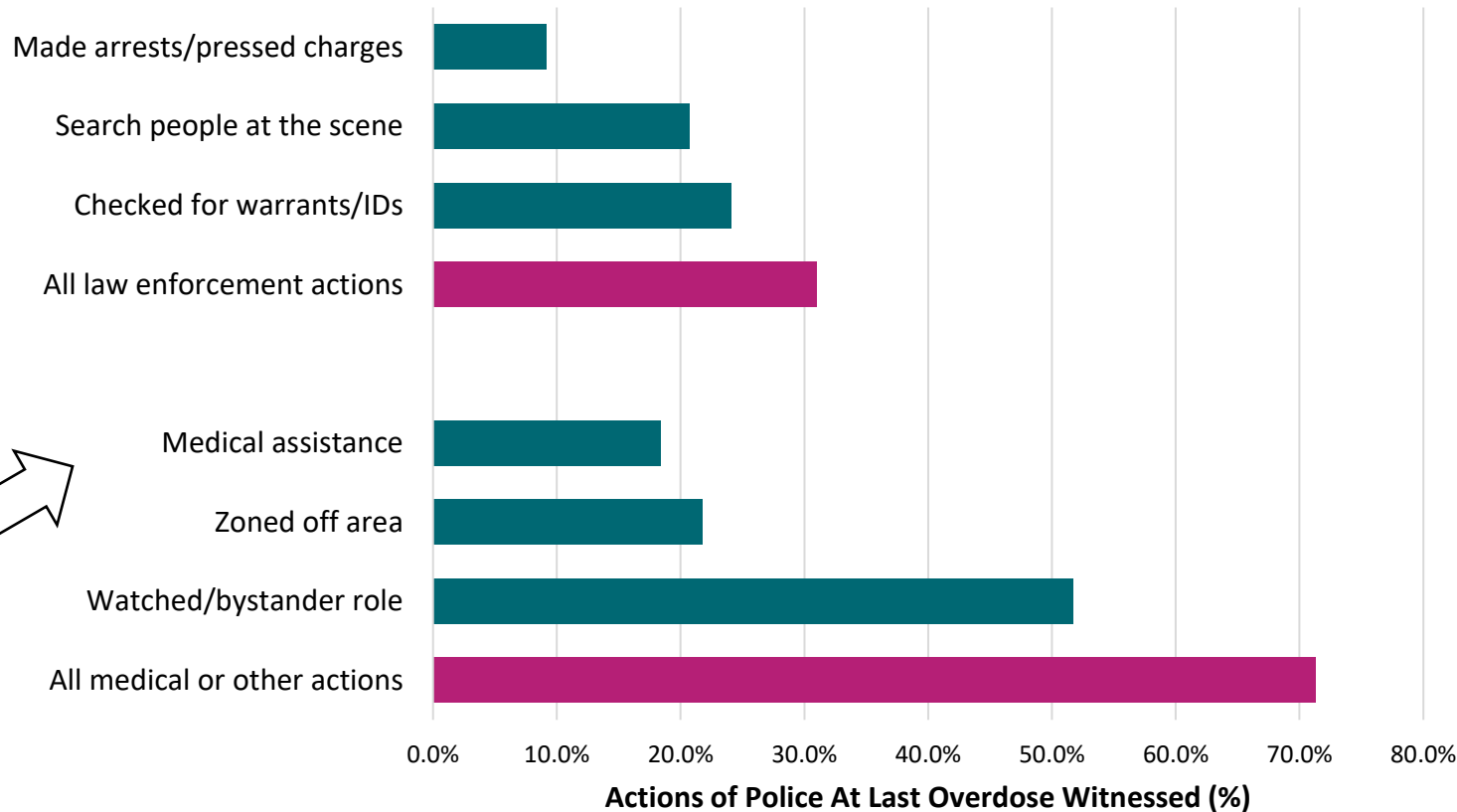
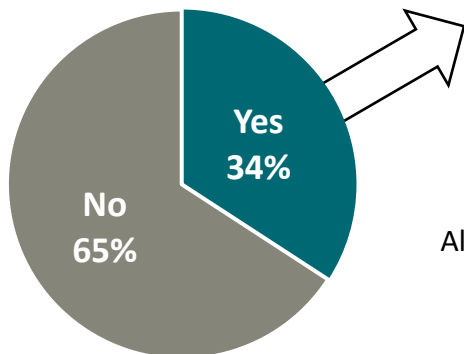
Understanding of **when** legal protection applies



Police Attendance at Last Overdose

“If police were present, what did they do at the overdose scene (Select all that apply)?”

Police attended at last OD witnessed



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GSDOA Interviews

Recruitment:

- Adults (n = 28): Peer research assistants identified adults across BC
- Youth (n = 14): Foundry shared information about the interviews on-site and online

Time:

- Between October 2020 and April 2021

GSDOA Qualitative Interviews – Methods

Data Collection:

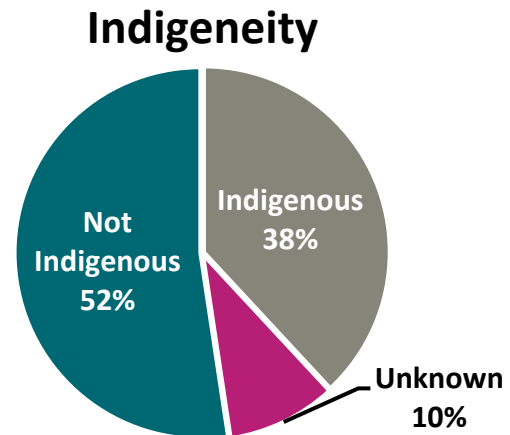
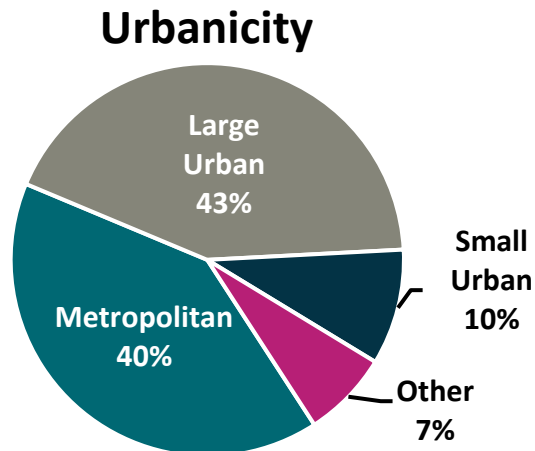
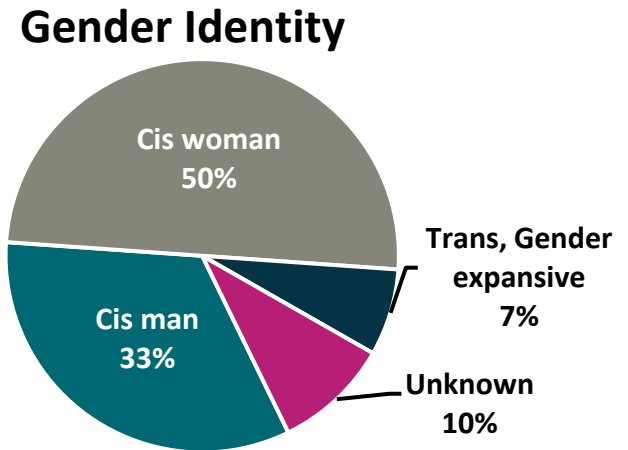
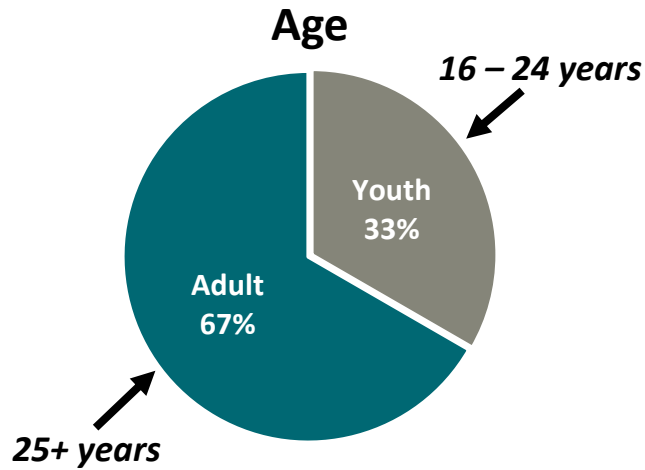
- Conducted 1 hour one-on-one semi-structured interviews over the phone due to COVID-19 public health guidelines
- Audio recorded and transcribed verbatim

Analysis:

- Open coding to build coding framework
- Coding conducted in NVivo by smaller team
- Thematic analysis conducted by larger team



Descriptive Overview



Themes



Awareness and lack of awareness surrounding the GSDOA



Understanding of the GSDOA



Reasons to call or not to call 911

Themes



Awareness and lack of awareness
surrounding the GSDOA

Awareness of the GSODA

- Just over half were aware
- Considerable variation in awareness

“The majority of people that I’m around they all know about it...the big majority.” (Participant 1, Metropolitan, Adult)

“A lot of people probably don’t know about it. I’ve been involved with drugs for years and I’ve never heard of it.” (Participant 2, Large Urban, Adult)

How had participants heard of the GSDOA?



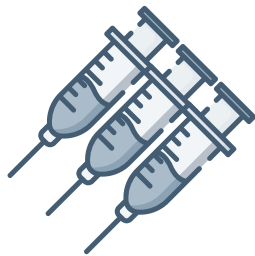
Posters

At harm reduction sites or housing sites (e.g. shelters)



Education Sessions

In high school or substance use treatment programs



Naloxone Training



Word of Mouth

Themes



Awareness and lack of awareness
surrounding the GSDOA



Understanding of the GSDOA

Understanding of the GSDOA

- Several understood the general idea of the act (that it provided some legal protections at overdoses)

“I’m aware of it, and I know that it’s supposed to protect people, allow people to be able to call the paramedics or the police in case of an overdose or injury and not have them worry about being arrested for doing it.” (Participant 14, Metropolitan, Adult)

- A few understood that it only provides protection against charges related to simple possession

“It’s to prevent people from not calling on very serious situations based on the fear of getting a charge for the drugs that they’re using or the drugs that they have on their person”. (Participant 3, Metropolitan, Youth)

- Nearly every participant was surprised by some aspect of the GSDOA, showing that almost all had some level of misunderstanding

Incomplete understanding

- Many participants overestimated the protections

“You’re given basically a get out of jail free card.” (Participant 16, Large Urban, Adult)

- Many incorrectly believed that warrants were protected

“The warrant part was where I was confused because people were, like-- they can’t get you even if you have a warrant. And I’m, like, no, I’m pretty sure if you have a warrant they can.” (Participant 19, Large Urban, Adult)



Themes



Awareness and lack of awareness surrounding the GSDOA



Understanding of the GSDOA



Reasons to call or not to call 911

Reasons to call 911

- Positive perceptions of and/or experiences with first responders

“They’re [first responders] simply there just to get that person better...They just care about getting that person to the hospital and making them stabilized.” (Participant 12, Large Urban, Adult)

- Severe overdoses or limited resources to respond on their own (i.e. last resort)

“I always got a kit ready and by the second shot...if not regained consciousness, then it’s like, okay, call 911.” (Participant 27, Large Urban, Adult)

Reasons to call 911

- Encouraged by the protections of the GSDOA and BC EHS

“I would hate to say it but if it wasn’t the way it is right now [GSDOA enacted], I would probably save them and run, you know, along with a lot of people.” (Participant 1, Metropolitan, Adult)

- Some participants shared that they would call 9-1-1 irrespective of the GSDOA

“I would have called 911 anyways [without the GSDOA enacted]. It wouldn’t have mattered to me.” (Participant 10, Large Urban, Adult)

“Human life is more important than going to jail.”
(Participant 28, Large Urban, Adult)

Reasons NOT to call 911

- Negative perceptions of and/or experiences with first responders

“I mean, I know when I OD’ed years ago my boyfriend didn’t call because he’d had such negative interactions with them [police].” (Participant 8, Metropolitan, Adult)

“The only thing the police brings is chaos, panic, harm and aggression” (Participant 17, Metropolitan, Youth)

- Participants felt they had the tools and knowledge to respond to overdoses on their own and some perceived calling 9-1-1 as an unnecessary use of paramedic resources, given this

“They’ll get there and do the exact same thing that the people that live on the street are doing for them already. It’s just like administering Narcan, getting oxygen to them and, like, we’re all trained to do that pretty much at this point.” (Participant 3, Metropolitan, Youth)

“I don’t want to make more work for no reason, really, if it’s not necessary in my opinion.” (Participant 29, Large Urban, Adult)

Reasons NOT to call 911

- Calling 911 and concerns around police attendance

“Well, I mean, like, you can call for an ambulance, but the cops come with the ambulance” (Participant 17, Metropolitan, Youth)

- Police discretion and inconsistent actions at overdose events and application of the GSDOA

“I don’t believe they follow that law. [...] I think they do what they want, just like in anything else, right.” (Participant 18, Small Urban, Adult)

“You know what that Act means? It’s something on paper to appease the public and appease parliament and whatnot. Because when it comes down to it, it don’t mean jackshit when a cop pulls up on you. [...] Overdose, you got dope on you, you’re going to fucking jail.” (Participant 30, Large Urban, Adult)

Reasons NOT to call 911

- Legal protections offered by the GSDOA perceived as limited and insufficient to encourage calling 9-1-1

“They know about the Good Samaritan Act. But they sell drugs out of there, and so it doesn’t matter to them. They’re not ever going to phone” (Participant 19, Large Urban, Adult)

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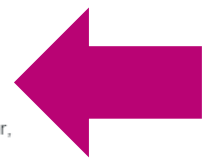
- The HRCS is an annual survey assessing substance use trends, and the use of harm reduction supplies among clients accessing harm reduction supply distribution sites in B.C. Questions were added to assess clients' knowledge of the GSDOA

Key informant interviews with police officers

- 22 interviews have been conducted with municipal police officers in: West Vancouver, Vancouver, Victoria, Abbotsford and RCMP officers in: Prince George, Kelowna, Vernon, Campbell River
- Preliminary findings will be shared soon.
- Based on findings, educational materials will be developed and piloted with participating police departments

Surveys with people who are at-risk of experiencing or witnessing an overdose

- People picking up a Take Home Naloxone kit at THN sites were identified as being at risk of experiencing or witnessing an overdose.
- Clients will be invited to complete a survey about their experiences of overdose and calling 9-1-1 as well as their knowledge and attitudes towards the GSDOA. The survey will also be available online.



Our research question was:

What are police officer's views, knowledge and implementation around the *GSDOA* and responding to 9-1-1 calls?



Qualitative interviews with police officers across BC

Who did we hear from...

- 22 police officers
n=13 municipal officers, n=9 Royal Canadian Mounted Police
- n=6 metropolitan, n=9 large urban, n=7 medium urban*
- 19 male, 3 female
- Ages 30-51 years old
- Experience levels 1.5 - 28 years in policing



When did we conduct interviews?

- Between January-May 2020

What methods were used to analyze interviews?

- Thematic analysis
- Open-coding to build a coding framework



Themes



Knowledge of and attitudes towards the GSDOA



Police officer's use of discretion and the GSDOA



Other law enforcement activities at overdose events outside the scope of the GSDOA

What were police officer's views of the GSDOA?

- There was no consensus among officers about whether the GSDOA has had the intended impact
- Officers understood the GSDOA as encouraging a medical vs. a law-enforcement approach to overdose

"It's a drug overdose. It's a medical issue only, and let the hospitals deal with it. There's no crime here. Police are not needed." (Metropolitan, Participant 03)

- Some police officers did not believe the GSDOA did enough to address the opioid crisis

"The petulant person in me says that sounds like that's something that's really good for a politician who's looking for a way to solve a problem that they don't actually have anything-- they don't have any concrete solutions." (Metropolitan, Participant 06)

What was police officer's knowledge of the GSDOA?

- The extent of police officers' knowledge of the GSDOA varied. Of those who were aware generally of the GSDOA, many officers could not clearly articulate its tenets or when and for whom it applies

“I know actually very little about this Good Samaritan thing. Like, I actually was just told kind of what it was all about by a few co-workers around here before-- when I got the email originally this morning.” (Large Urban, Participant 04)

- Several police officers reported hearing about the GSDOA via email and expressed concerns with the likelihood of overlooking an email.

“Probably this Act went out in some sort of email saying the law has now changed, make sure you know this. Which probably didn't have a whole lot of impact.” (Metropolitan, Participant 04)

Interpretation and use of discretion with the GSDOA

- Discretion (the ability to choose how, when, to what extent they enforce laws) was seen as important and favored by many

“The law tends to like to be grey ‘cause that’s how it works the best around interpretation... it leaves enough wiggle room on both sides. So I think that’s the way these sorts of laws should be developed...it works well. It’s more up to the individual officer how they kind of see themselves applying those sorts of things.” (Metropolitan, Participant 04)

- Police officers used their discretion to a) pursue less punitive approaches at overdose events or b) punitive or deterrence-based approaches

a) For example, police officers commonly reported that arrests for simple possession were rarely made, even before the GSDOA was implemented

b) Police officers questioned when the limits of what is considered an ‘overdose setting’ and when regular law enforcement applies.

“Yeah, I have a lot of discretion. And I know them all and I’m not concerned about finding them again.” (Large Urban, Participant 08)

Interpretation and use of discretion with the GSDOA: Drug trafficking

Discretion was relevant in the context of drug trafficking arrests at overdose events in two ways:

- 1) the GSDOA does not extend legal protection to drug trafficking and thus police reported using their discretion to determine whether to investigate drug trafficking
- 2) determining threshold amounts for intent to traffic

“I mean, you know, we know who’s dealing down there and we catch them all the time anyway. And that’s not the time to talk to somebody about that.”
(Large Urban, Participant 08)

“You know, so you look at what a serious offense is, like, you know, possession for the purpose of trafficking...how much drugs do you need to support that charge...you know, like, there’s lots of ways to work with that definition if you’re the kind of cop that wants to do that” (Metropolitan, Participant 04)

Other law enforcement activities at overdose events outside the scope of the GSDOA

- Police shared other law enforcement activities, other than arrests, that occur at overdose events (e.g. seizing all drugs, running names and checking identification, searching people...)

“We need to essentially identify those at scene, whether it’s in a public place, on the road, or in a house, confirm everybody’s identity, talk to, you know, the people that were present during the time, the witnesses, and get their accounts of the incident.” (Large Urban, Participant 07)

- A few police officers recognized that these activities potentially discourage people from calling 911 – undermining the GSDOA

Findings & Recommendations

Findings

Lack of awareness of the *GSDOA*; many of those who are aware have incorrect understandings about when it applies

Ongoing concerns about police attending overdoses, despite BC EHS policy & *GSDOA*

Police implementation of *GSDOA* is affected by police knowledge of the *Act* and police discretion

Recommendations

Develop engaging *GSDOA* knowledge translation initiatives to reach various audiences: people who use drugs, their family & friends, youth, people released from prison, general public and police officers

Address systemic discrimination and ongoing barriers to care. Involve people with lived and living experiences at all stages of policy development.

Prioritize police non-attendance policies and address barriers to effective implementation (e.g. limit discretionary power)

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