

Prior contact with the criminal justice system among people who fatally overdosed on illicit drugs in Surrey and in British Columbia, 2011 to 2016

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Prior contact with the criminal justice system among people who fatally overdosed on illicit drugs in Surrey and in British Columbia, 2011 to 2016: Highlights

- Between 2011 and 2016, 2,362 people in British Columbia had a fatal overdose from illicit drugs, with 332 occurring in Surrey specifically. The majority of individuals who died of an illicit drug overdose in British Columbia (66%) and specifically in the City of Surrey (64%) had no contact with police in the 24 months preceding their overdose death. For the purposes of this study, a contact with the police is defined as an official intervention, where the individual was identified by police as a person accused of a criminal incident.
- Overall, most of the decedents (66%) held some form of employment in at least one of the five years preceding their overdose death, regardless of any contact with police. That said, decedents who had a formal contact with the police were less likely to have experienced consistent employment over the 5 years. One in five (20%) decedents who had contact with police were employed in each of the 5 years prior to their fatal overdose, compared to 29% of decedents who did not have contact.
- More than two-thirds (68%) of decedents who had contact with police had also received social assistance benefits in the 5 years prior to their death, a proportion that was significantly higher than their counterparts who had no contact with police (55%).
- In general, most decedents were not hospitalized in the year before their death. This held true for both those who had contact with police (72%) and those who did not (75%). The remaining one in four decedents were hospitalized at least once in the year preceding their death. The most common reasons for hospitalization among decedents in the year before their death besides opioid poisonings were in connection to substance use related disorders and mental health conditions.
- While the majority of decedents never came into contact with police, among those who did (34%), many did so multiple times. Overall, 15% of decedents in British Columbia and 16% of decedents in the City of Surrey had three or more formal contacts with police in the 24 months preceding their overdose death.
- Overall, among decedents who had a contact with police, 33% in British Columbia (and 24% in the City of Surrey) had a fatal overdose in the 90 days following their last contact with police. These findings indicate the need for timely interventions.
- The majority of decedents who came into contact with police prior to their fatal overdose did so for a non-violent crime: 83% of police contacts were for non-violent offences whereas the remaining 17% involved violent offences. Shoplifting of items valued at \$5,000 or under was the most common reason decedents came into contact with police in the 24 months prior to their death. Aside from property offences and, more specifically, shoplifting, offences against the administration of justice were also among the most common reasons decedents came into contact with police. These offences were also highly represented among the decedent cohort, relative to the province as a whole.
- In line with their police interactions, most of the decedents who appeared in a criminal court within the 2 years preceding their overdose death did so in relation to property offences and offences against the administration of justice. Specifically, cases involving theft, breach of probation and failure to comply with an order were among the most prevalent.

Prior contact with the criminal justice system among people who fatally overdosed on illicit drugs in Surrey and in British Columbia, 2011 to 2016

by Shannon Brennan and Benjamin Mazowita

Canada is in the throes of a national opioid epidemic. Between 2016 and the first part of 2018, approximately 8,000 Canadians died as a result of an apparent opioid-related overdose¹ (Special Advisory Committee on the Epidemic of Opioid Overdoses 2018). While the effects of the epidemic are being felt across Canada, certain provinces are experiencing higher rates of fatalities compared to others. Specifically, British Columbia reported the highest rates of apparent opioid deaths in both 2016 and 2017 (Special Advisory Committee on the Epidemic of Opioid Overdoses 2018).

Given the magnitude of this crisis, and the steady rise in opioid-related drug overdoses and related deaths, British Columbia's Provincial Health Officer declared a public health emergency in April of 2016. However, despite continued efforts across the province, an unprecedented number of drug overdoses and related fatalities continue. Within the province of British Columbia, the City of Surrey has among the highest number of deaths due to the overdose crisis, second only to Vancouver, and this continues to persist (BC Coroners Service 2018).

While current statistics speak to the number of overdoses occurring, there is a scarcity of information related to the social and economic characteristics of those most at risk of experiencing an overdose. To address this data gap, Statistics Canada, in partnership with municipal and provincial partners in British Columbia, is releasing a series of articles in an effort to better understand the characteristics of those individuals at the core of this crisis. These articles will explore the primary risk factors and the characteristics of individuals who have experienced an illicit drug overdose, in the domains of justice, employment, social assistance, and health.

The second in the series of papers,² this *Juristat* article examines a cohort of individuals who died of an illicit drug overdose in the province of British Columbia, with a special focus on the City of Surrey, between 2011 and 2016, and explores the nature and extent of their contact with the criminal justice system as a person accused of a crime. This is not done from the point of view of describing their criminal behavior, but rather to identify potential opportunities for intervention within various social sectors. Encounters with first responders and the criminal justice system represent potential venues through which individuals at risk of overdose could receive targeted intervention, including programs related to overdose education or naloxone distribution (Wagner et al. 2015).

This article brings together data provided by the BC Coroners Service with policing data from the Uniform Crime Reporting Survey, and criminal court data from the Integrated Criminal Court Survey. The first section of the article examines the characteristics of all individuals who experienced a fatal overdose and provides detailed information on the employment characteristics, use of social assistance, and use of hospital services for those who did and did not have a formal interaction with the criminal justice system. The article will then focus specifically on those who did have contact with police by exploring 3 key indicators: their prevalence of contact with police, their frequency of contact with police, and the elapsed time between their last contact with police and their fatal overdose. The second half of this article will examine the reasons for which those who died of an illicit drug overdose came into contact with the police and criminal courts system in British Columbia.

Text box 1 **Definitions and concepts**

Fatal illicit drug overdose

For the purposes of this study, fatal illicit drug overdoses refer to confirmed illicit overdose deaths, both accidental and undetermined, as identified by the BC Coroners Service. A fatal illicit drug overdose may involve the ingestion of a variety of illicit drugs, including, but not limited to, controlled and illegal drugs such as heroin, cocaine, MDMA, methamphetamine, illicit fentanyl; medications not prescribed to the decedent but obtained or purchased on the street from unknown means or origins; and, combinations of the above with prescribed medications (BC Coroners Service 2018).

Contact with police

A contact with the police is defined as an official intervention, where the individual was identified by police as a person accused of a criminal incident. For the purposes of this study, a contact with police does not include instances where an individual interacted with police as a victim, witness, complainant, etc.

Accused

For the purposes of this study, an accused refers to someone who came into contact with police in British Columbia at least once between 2009 and 2016 in relation to a criminal incident. Subsequently, the individual could have been charged by police in relation to the reported incident or the incident was cleared otherwise (e.g., given a warning or caution). The individual did not necessarily proceed to the court system, nor were they necessarily found guilty of the crime.

Text box 1 — end
Definitions and concepts

Cleared by charge

An accused has been identified by police in relation to a crime, and a criminal charge is laid against (or recommended to be laid against) this individual in connection with this criminal incident.

Charges cleared otherwise

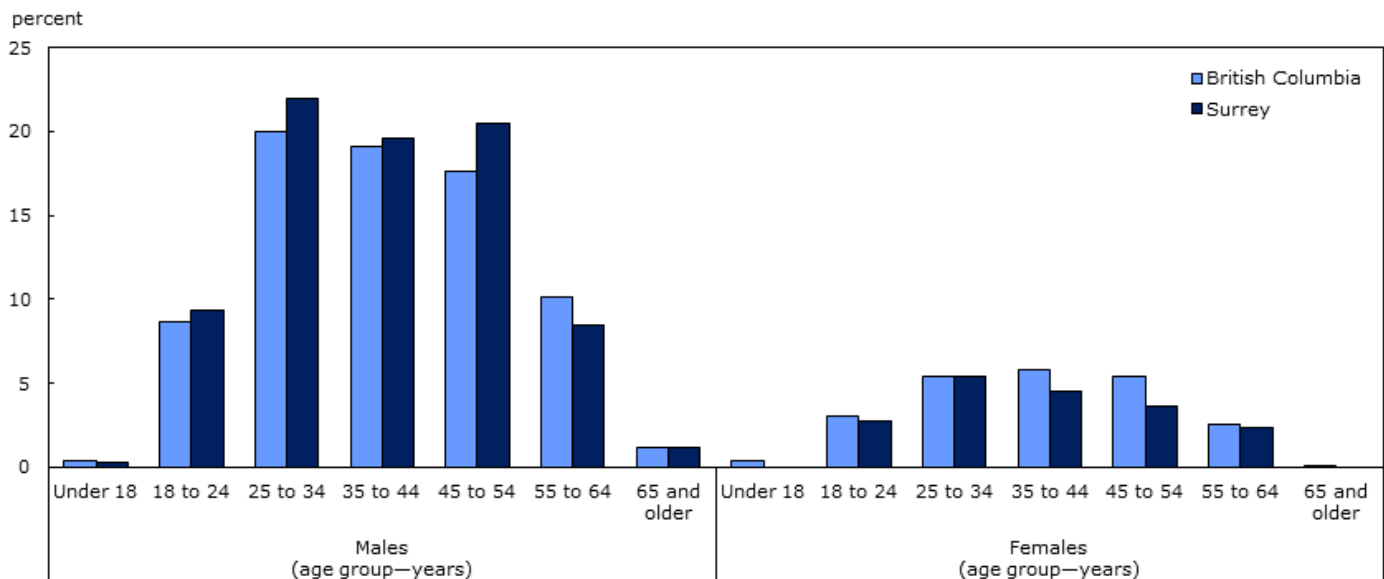
An accused has been identified by police in relation to a crime, and there is sufficient evidence to lay a charge, however a charge is not laid by police and the accused is processed by other means. Examples of charges cleared otherwise include warnings, cautions, alternative measures, extrajudicial sanctions and in instances where the accused has died.

Characteristics of individuals who had a fatal illicit drug overdose in British Columbia and the City of Surrey

Majority of individuals who fatally overdosed were male

Between 2011 and 2016, 2,362³ people in British Columbia had a fatal overdose from illicit drugs, with 332 occurring in Surrey specifically. The majority (81%) of these individuals were men, with women comprising just 19% of decedents in Surrey, similar to proportions observed in the province as a whole (77% versus 23%). Males ages 25 to 54 accounted for approximately 6 in 10 fatal overdoses, both for Surrey (62%) and in British Columbia overall (57%) (Chart 1). At the same time, this group accounted for 21% of the total British Columbia population in 2016.

Chart 1
Demographic characteristics of decedents in British Columbia and Surrey, 2011 to 2016



Source: BC Coroners Service Data, 2011 to 2016.

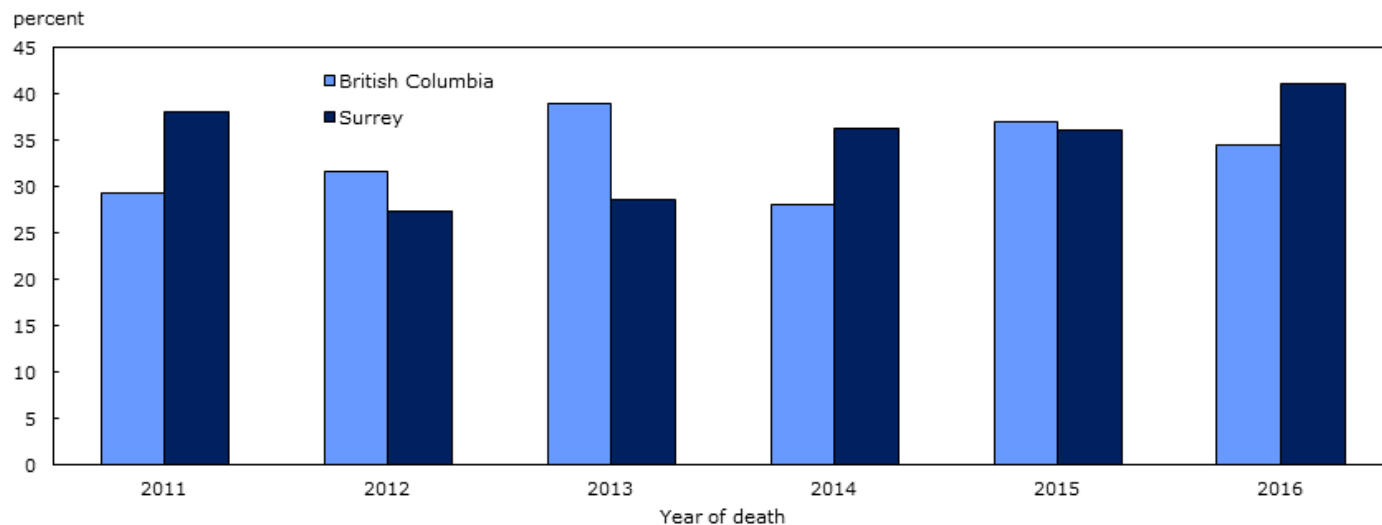
Prevalence of contact with police

Two-thirds of those who overdosed had no contact with police in the 24 months prior to their death

The prevalence of contact with police services provides an indication of the number and proportion of people who had an official interaction with the justice system before their fatal overdose. Among the decedents in British Columbia and the City of Surrey more specifically, the majority did not have a contact with police as a person accused of a criminal incident (see Text box 1) in the 24 months prior to their fatal overdose.

More specifically, two-thirds of those who fatally overdosed in British Columbia (66%) and in the City of Surrey (64%) had no contact with police in the 24 months preceding their overdose death. While the proportion of individuals who **did have** contact with police fluctuated somewhat year over year, the general trend remained fairly consistent between 2011 and 2016 (Chart 2).

Chart 2
Prevalence of contact with police among decedents in the 24 months prior to death, British Columbia and Surrey, 2011 to 2016



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

While individuals implicated in a fatal illicit drug overdose had a much greater likelihood of coming into contact with police compared to the general population (30.3 persons accused of a criminal violation per 1,000 population in British Columbia in 2016 compared to a rate of 337.0 per 1,000 persons in the fatal illicit overdose cohort having a contact with police in the 24 months prior to their fatal overdose), the finding that the majority of the fatal illicit overdose cohort never came into contact with police in relation to a criminal incident challenges the conception that individuals who overdose are most often involved in criminal activity. In fact, the results indicate that those impacted by illicit drug overdoses are a diverse population, and thus it is important to understand how these individuals differ from those who did have a formal contact with police prior to their death.

Age and sex

Those who had contact with police and those who did not had a similar demographic profile with respect to age and sex. For instance, consistent with the overall findings, men were highly represented regardless of any interactions with police.

Further, the age profile of decedents was also similar among the two groups. Whereas the mean age of those who did not come into contact with police was 40.7 years, the mean age among those decedents who had was only slightly lower, at 37.9 years.

Decedents who had contact with police earned less in employment income

Despite the demographic similarity between the two groups, there were notable differences in regards to the socio-economic characteristics of decedents who did have a contact with police and those who did not. Previous studies have shown that in comparison to the general population, individuals who have had contact with the justice system tend to experience higher levels of economic marginalization (Boyce et al. 2018). This appears to also be the case among individuals who fatally overdosed in British Columbia, as those decedents who had contact with police were less likely to experience continuous employment, made less in employment income, and were more likely to be reliant on social assistance relative to decedents who had no contact with police in the 24 months prior to their death (Table 1).

Overall, most of the decedents (66%) held some form of employment in at least one of the five years preceding their overdose death, regardless of any contact with police. That said, decedents who had a formal contact with the police were less likely to have experienced consistent employment over the 5 years. One in five (20%) decedents who had contact with police were employed in each of the 5 years prior to their fatal overdose, compared to 29% of decedents who did not have contact (Table 1).

Income differences were also noted between the two groups. Decedents who had contact with the police earned less than their counterparts who did not have contact with police in the 2 years preceding their overdose death. Specifically, the mean total income among decedents who had contact with the justice system for the last year they were employed was \$15,325, an amount significantly lower than those who did not have contact with police (\$25,207). In comparison, the Canadian

Income Survey reported the average employment income of employed persons (not in an economic family) in British Columbia to be \$41,700 in 2016 (Statistics Canada 2019).

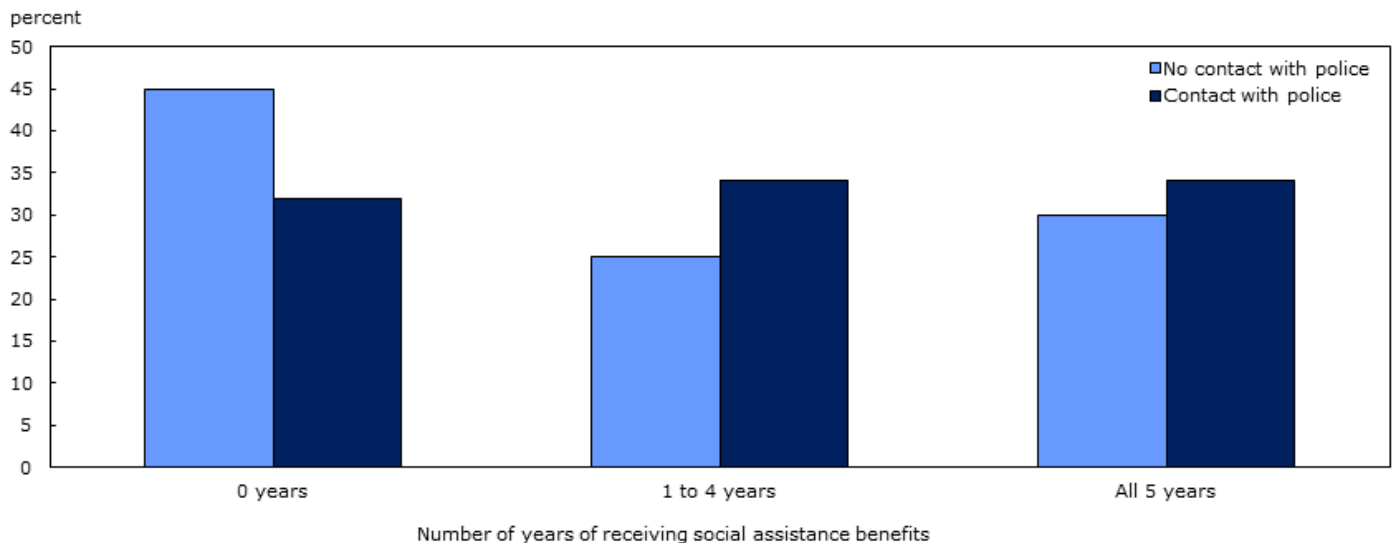
While there were differences in employment stability and employment income, there were similarities among decedents in the industry sectors in which they were employed, regardless of contact with police. Construction was the most prevalent industry of work, employing approximately one in five decedents,⁴ including those who had had contact with police (23%) and those who did not (20%). For comparison 13% of males aged 15-54 in British Columbia received T4 earnings from construction (Schellenberg et al. 2019). Other prevalent industries of employment among the decedents included administrative and support, waste management and remediation services, and accommodation and food services (Table 1).

Use of social assistance higher among decedents with previous history of contact with police

More than two-thirds (68%) of decedents who had contact with police had also received social assistance benefits in the 5 years prior to their death, a proportion that was significantly higher than their counterparts who had no contact with police (55%). Furthermore, those who had a contact with police were more likely to have received social assistance in each of the 5 years prior to their death (34%), in comparison to people who did not have contact with police (30%) (Chart 3).

Chart 3

Decedent's receipt of social assistance in the 5 years prior to death, by contact with police, British Columbia, 2011 to 2016



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.

Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016; T5007 data, 2006 to 2015.

It should be noted however that despite a relatively higher use of social assistance, those who had contact with police received lower amounts of assistance compared to decedents with no police contact. Specifically, decedents who had contact with police received on average \$7,173 in social assistance, which was lower than the amount received by decedents who had not come into contact with police in the two years prior to their death (\$7,875).⁵

In summary, a lack of consistent employment and reliance on social assistance were prevalent among all people who died of an illicit drug overdose, but even more so among those who also had a history of coming into contact with the criminal justice system. The differences in socio-economic status within the fatal illicit drug overdose cohort provide further evidence that those dying from illicit drug overdoses in British Columbia are a diverse population.

One in four decedents hospitalized in the 12 months prior to death

In addition to examining the socio-economic characteristics of those who experienced a fatal illicit drug overdose, it is also possible to examine the extent to which this population has come into contact with the health care system, specifically hospitalizations. Existing research shows that a large proportion of individuals who go on to overdose from illicit drugs are involved in the health care system, through hospitalizations, visits to emergency departments and appointments with physicians, and furthermore, many of those who go on to overdose from illicit drugs left the emergency department without being seen by a doctor or left against medical advice (BC Centre for Disease Control 2018).

In general, most decedents were not hospitalized in the year before their death. This held true for both those who had contact with police (72%) and those who did not (75%) (Table 2). The remaining one in four decedents were hospitalized at least once in the year preceding their death.

Although the proportion who had been hospitalized in the 12 months prior to death was similar among all decedents, those who had come into contact with police were somewhat more likely than those who hadn't to have been hospitalized two or more times in the year before their death (14% versus 10%).

While there are many potential reasons why an individual could be hospitalized, the proportion of decedents who were hospitalized as a result of opioid poisoning in the year before their death was relatively low. Overall, 5% of decedents who had contact with police and 4% of decedents who hadn't, were hospitalized at least once in the year before their death as a result of opioid poisoning. The most common reasons for hospitalization among decedents in the year before their death besides opioid poisonings were in connection to substance use related disorders and mental health conditions.

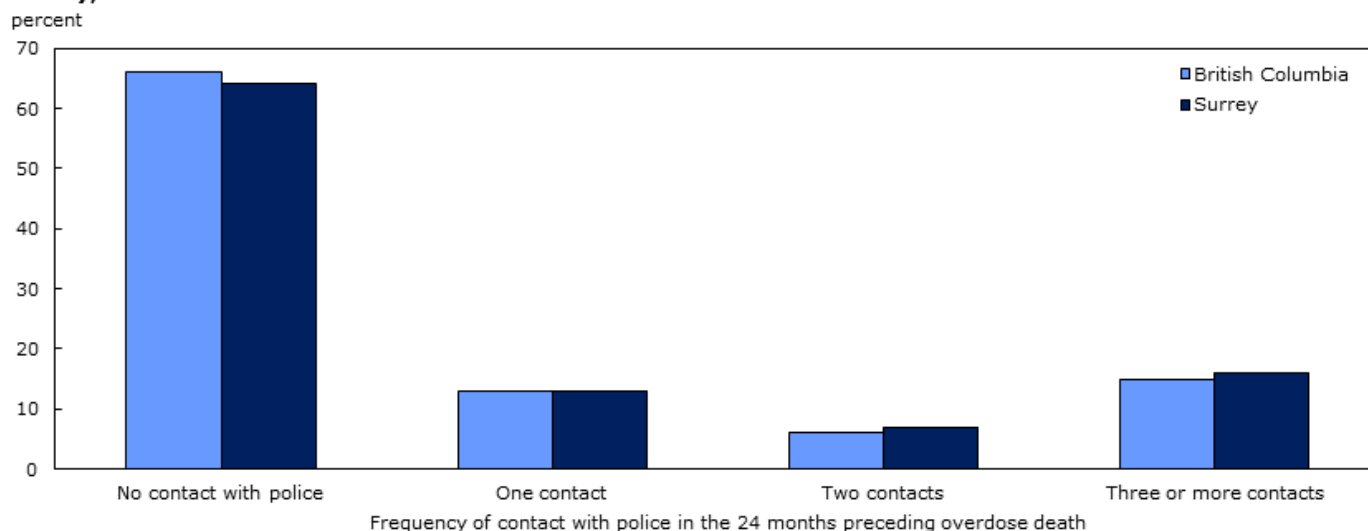
Frequency of contact with police

One in seven decedents had three or more contacts with police in the 24 months before their death

The frequency of contact with police provides an indication of the number of times that an individual who experienced a fatal illicit drug overdose came into contact with the criminal justice system. This provides valuable information on the number of potential opportunities there may have been to identify individuals at risk of overdose and to connect these individuals with programs and interventions.

While the majority of decedents never came into contact with police, among those who did (34%), many did so multiple times. Overall, 15% of decedents in British Columbia and 16% of decedents in the City of Surrey had three or more formal contacts with police in the 24 months preceding their overdose death (Chart 4). Among those who had a contact with police, the median number of contacts was 2, which highlights multiple opportunities to potentially identify individuals at risk of overdose.

Chart 4
Frequency of contact with police among decedents in the 24 months prior to death, British Columbia and Surrey, 2011 to 2016



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

Elapsed time since last contact with police

Among decedents that had a police contact, three in four had a contact with police in the 12 months prior to their death

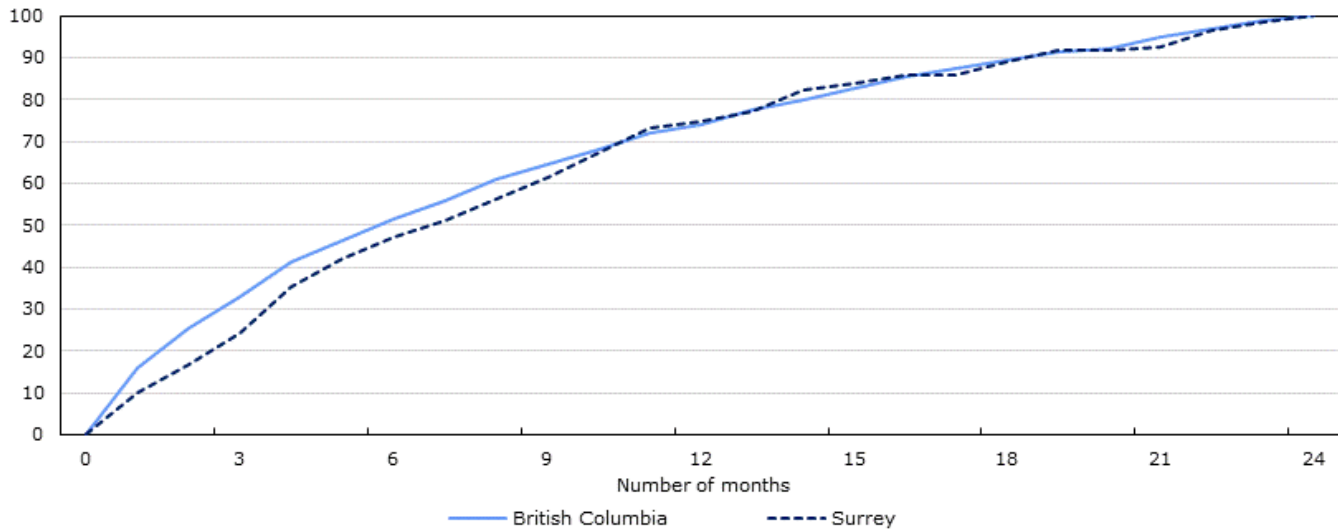
Elapsed time indicates how much time passed between the decedent's last known contact with police and their fatal overdose. In general, three-quarters of decedents who had contact with police experienced their fatal overdose within one year of that interaction (Table 3).

Of particular note are the number of fatal overdoses which occurred within the three months following a formal contact with the police. Overall, among decedents who had a contact with police, 33% in British Columbia (and 24% in the City of Surrey) had a fatal overdose in the 90 days following their last contact with police (Chart 5). These findings indicate the need for timely interventions.

Chart 5

Time elapsed between last contact with police and fatal overdose, British Columbia and Surrey, 2011 to 2016

percent of decedents who had a contact with police



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

Reasons for contact with police

Majority of decedents who came into contact with police were involved in non-violent offences

There are numerous offences for which an individual can come into contact with police, which range on a continuum of severity, from violent crimes such as assault, to non-violent crimes, including property offences, drug offences, and administration of justice offences (such as fail to comply with order or breach of probation).

The majority of decedents who came into contact with police prior to their fatal overdose did so for a non-violent crime⁶: 83% of police contacts were for non-violent offences whereas the remaining 17% involved violent offences. This was true for police contacts in British Columbia overall, and the City of Surrey, more specifically (Table 4).

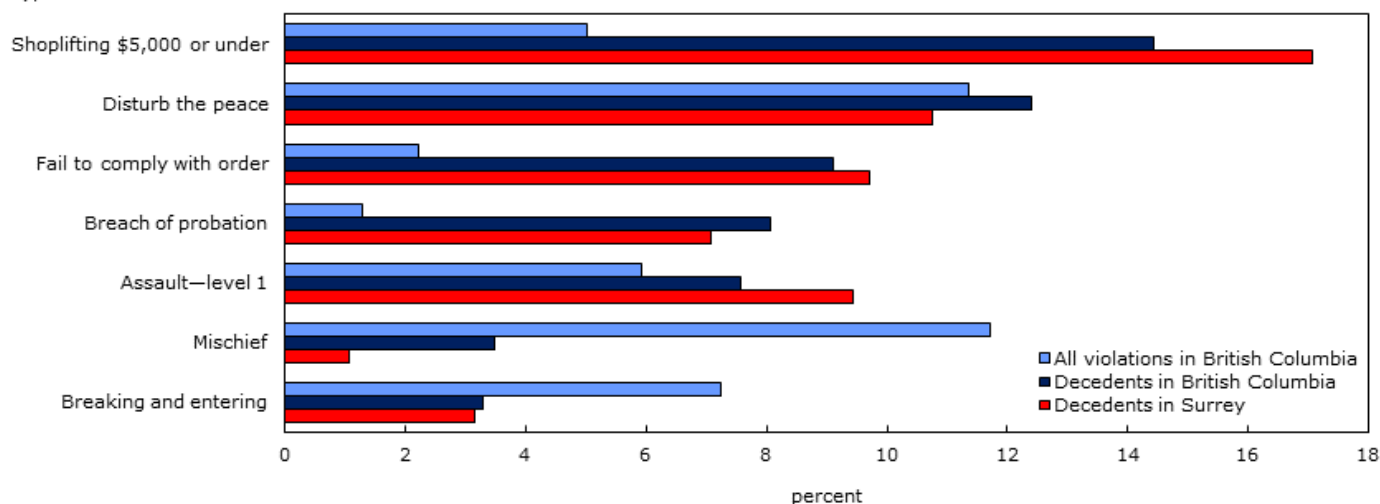
Decedents tended to be implicated in minor offences. For example, property crimes, such as theft, were the most common category of offence for which decedents had contact with police in the 24 months prior to their overdose, as one-third of police contacts involved at least one property crime (31% in British Columbia and 35% in Surrey) (Table 4). The types of property stolen⁷ included consumable goods such as food, cigarettes or alcohol (32%), personal accessories (16%), identification, financial and other securities (9%), and vehicles (9%). Theft of other property such as animals and precious metals not intended for use as jewelry comprised the remaining 35% of items stolen.

With the finding that one-third of police contacts involving the decedent cohort were in relation to a property crime, it is then not surprising that decedents were found to be disproportionately involved in incidents of shoplifting. Shoplifting of items valued at \$5,000 or under was the most common reason decedents came into contact with police in the 24 months prior to their death, for both British Columbia overall (14%), and Surrey, more specifically (17%). This offence was highly represented among the decedent cohort whereas it comprised just 5% of all criminal incidents in the province as a whole from 2009 to 2016 (Chart 6).

Chart 6

Reasons for contact with the police in the 24 months prior to death, selected offences, decedents in British Columbia and Surrey, 2011 to 2016, and criminal offences in British Columbia, 2009 to 2016

Type of offence



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

Aside from property offences and, more specifically, shoplifting, offences against the administration of justice were also among the most common reasons decedents came into contact with police. Administration of justice offences are often referred to as the ‘revolving door’ of crime, as they most often result from an accused’s prior criminal behavior and previous interaction with the justice system (Burczycka and Munch 2015). Overall, close to one in five police contacts were in relation to an offence against the administration of justice (19% in British Columbia and 17% in Surrey). These offences were also highly represented among the decedent cohort, relative to the province as a whole (Chart 6).

Failure to comply with conditions,⁸ which includes infractions such as violations of no-contact orders and failure to attend court-mandated programs (for example, addictions counselling) was the most commonly reported offence against the administration of justice. Breach of probation was the second most frequently reported offence against the administration of justice for which decedents came into contact with police.

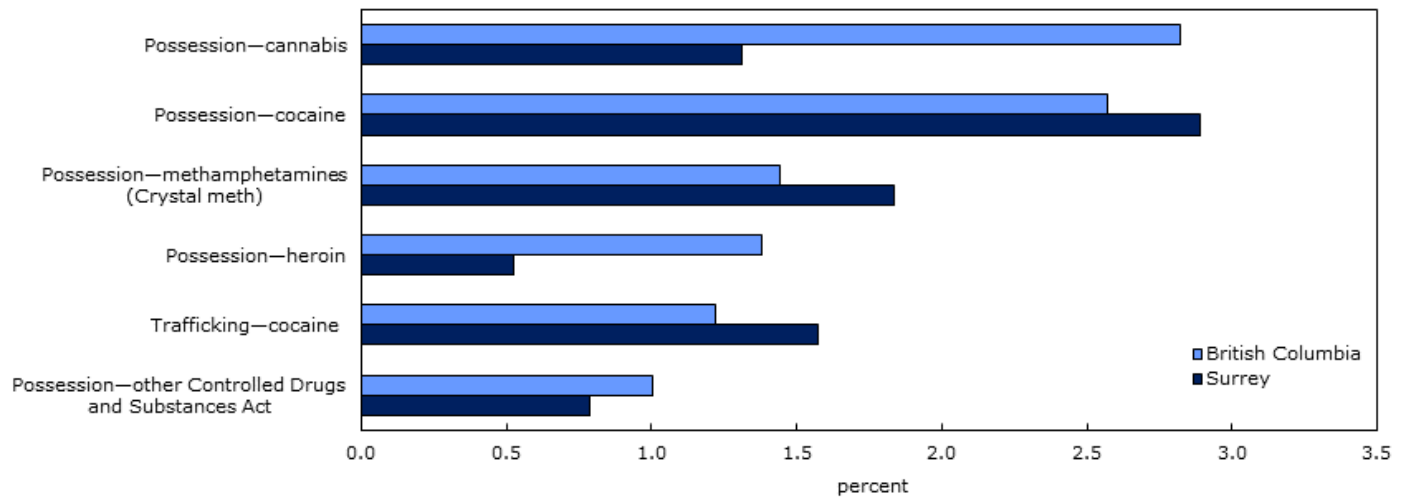
Possession of cannabis and possession of cocaine among most prevalent drug offences

In total, 11% of police contacts involving illicit drug overdose decedents in British Columbia and in Surrey were drug-related. This proportion was nearly twice as high compared to the province as a whole, where drug offences represented just 6% of all criminal incidents between 2009 and 2016 (Table 4). The most common drug offences for which the cohort had contact with police were possession of cannabis and possession of cocaine (Chart 7).

Chart 7

Most common drug offences among decedents in the 24 months prior to death, British Columbia and Surrey, 2011 to 2016

Type of offence



Note: Includes individuals who had a contact with the police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting (UCR) Survey, 2009 to 2016.

Outcomes of contact with police

Majority of administration of justice offences cleared by charge

When an individual comes into contact with police, the police may elect to charge an individual or recommend charges,⁹ or they may clear the incident through other means, such as giving the accused a warning or caution (see Text box 1).

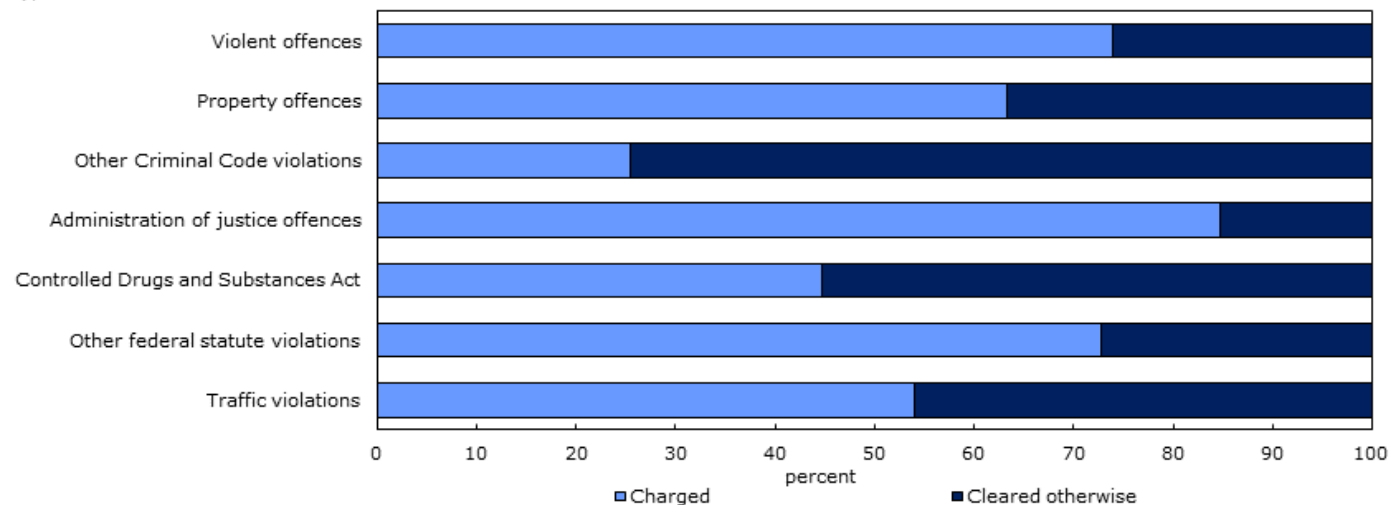
In general, the decision as to whether or not to lay charges appears to be correlated with the type of offence for which an accused came into contact with police. Previous studies (Burczykca and Munch 2015) have shown that offences against the administration of justice are among the most likely to result in charges being laid against the accused. This may be due in part to a willingness among justice professionals to address and formally document an accused’s repeated non-compliance with the law (Marinos 2006).

The findings of this study indicate that the greater likelihood for administration of justice offences to result in charges also held true for the decedents who had contact with police in the 24 months prior to their death. In total, 85% of police contacts involving an offence against the administration of justice had charges recommended by police. In contrast, less than half (45%) of police contacts involving drug offences under the *Controlled Drugs and Substances Act* had charges recommended by police (Chart 8).

Chart 8

Incident clearance status among decedents who had contact with police in the 24 months preceding death, by offence type, British Columbia, 2011 to 2016

Type of offence



Note: Includes individuals who had a contact with police in British Columbia in the 24 months preceding their overdose death.
Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

The decision to charge an accused or to clear the incident by other means inevitably has an impact on how many individuals will proceed further into the criminal justice system by requiring an appearance in Criminal courts.

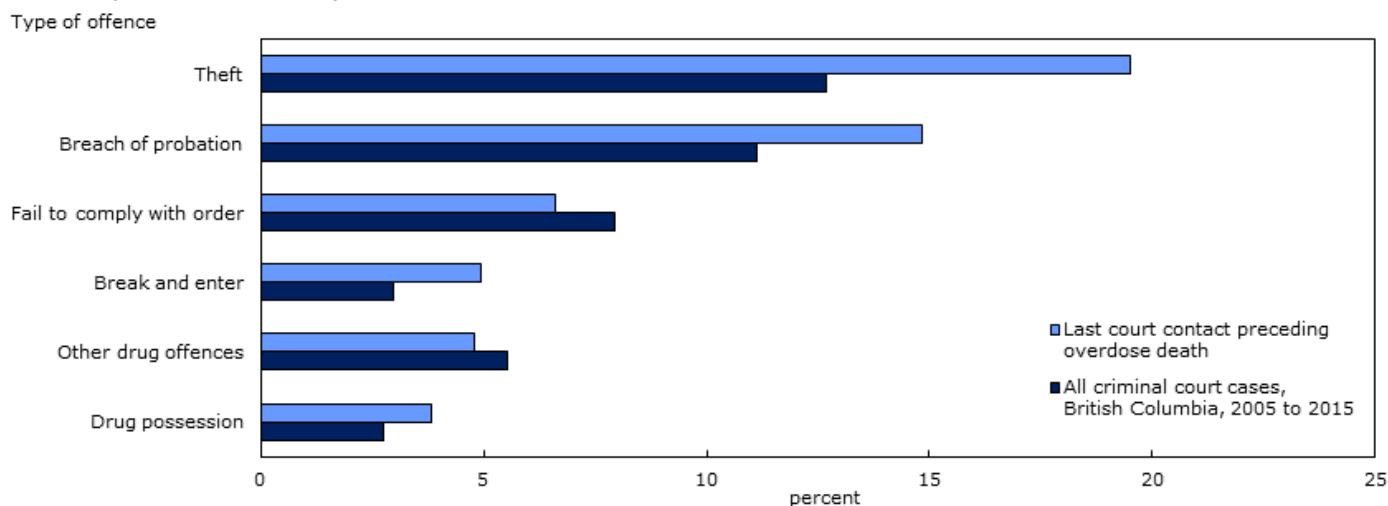
Contact with criminal courts in British Columbia

In order for an individual to appear in a Canadian criminal court, the police must elect to charge the accused with a criminal offence or recommend a charge. As a result, only a portion of individuals who have contact with police will appear in the criminal court system.

Whereas the police can be seen as the gatekeepers of the justice system insomuch as they represent the first point of contact for entry into the system, Canada’s criminal courts are responsible for rendering decisions regarding the culpability of those accused of a criminal offence. In addition, criminal courts are tasked with determining an appropriate sentence on the conclusion of a case for those accused persons who plead or are found guilty at trial (Department of Justice Canada 2015).

Given the scope and magnitude of the role played by Canada’s courts in the criminal justice system, it is important to explore the contacts decedents may have had with the criminal courts in British Columbia in the 24 months preceding their overdose death. In line with their police interactions, most of the decedents who appeared in a criminal court within the 2 years preceding their overdose death did so in relation to property offences and offences against the administration of justice. Specifically, cases involving theft, breach of probation and failure to comply with an order were among the most prevalent (Chart 9).

Chart 9
Reasons for contact with criminal courts among decedents in 24 months preceding overdose death, by select offences, British Columbia, 2007 to 2015



Note: Includes individuals with a court appearance in the 24 months preceding their overdose death. Other drug offences include trafficking, production, importing and exporting.

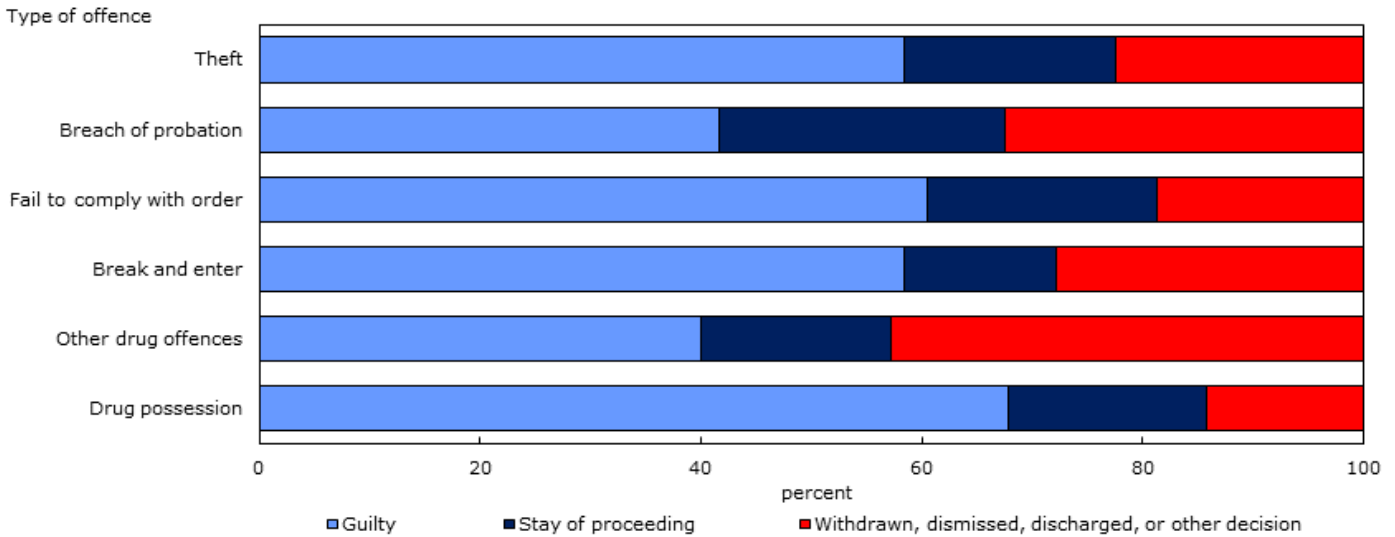
Source: BC Coroners Service Data, 2007 to 2015; Integrated Criminal Court Survey, 2005 to 2015.

Drug possession cases among most likely to result in a finding of guilt

One of the responsibilities of the criminal courts is to determine the guilt or culpability of the accused in relation to the offence brought before them. Among decedents, cases involving drug possession were among the most likely to result in a finding of guilt (68%), followed by failure to comply with an order (60%), theft (58%), and break and enter (58%) (Chart 10).

Chart 10

Most serious decision for decedent’s last court contact in the 24 months preceding overdose death, by select offences, British Columbia, 2007 to 2015



Note: Includes individuals with a court appearance in the 24 months preceding their overdose death. Other drug offences include trafficking, production, importing and exporting.

Source: BC Coroners Service Data, 2007 to 2015; Integrated Criminal Court Survey, 2005 to 2015.

The decisions made about the culpability of the accused are of importance, as they play a key role in determining the pathway or trajectory of an individual through the justice system. When the decision is made to stay, withdraw, dismiss or discharge the charges in a case, in most instances the individual will have no further involvement with the justice system in relation to the original charges. In contrast, when a case results in a finding of guilt, it is possible that the offender will then also have contact with Canada’s correctional services.

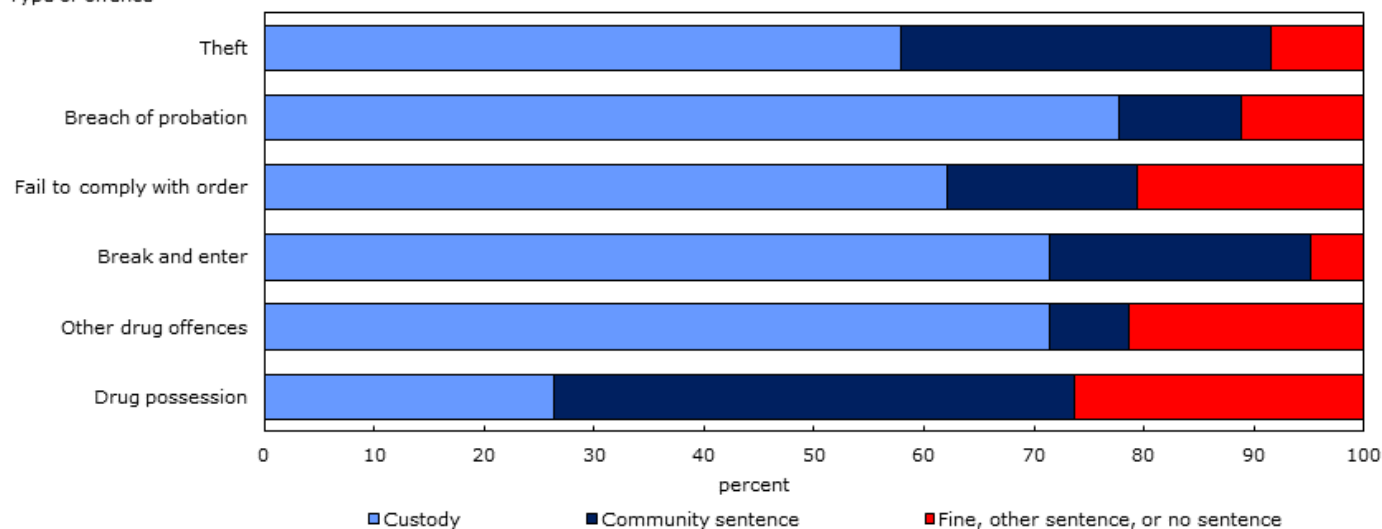
There are many different sentences a judge can impose on an accused person who plead guilty or is found guilty of a criminal offence. These range in severity, from fines or no sentence at all, to sentences within the community such as probation, to custodial sentences, which restrict the physical freedom of the offender. The sentence must take into account the key principles of sentencing, and weigh the various factors associated with the offence, including the severity of the offence, and the history of the accused (Department of Justice Canada 2018).

Of the decedents who plead guilty or were found guilty of a criminal offence in the 24 months preceding their overdose death, those who breached their probation were among the most likely to have been given a custodial sentence (78%). In contrast, those found guilty of drug possession were among the least likely to be sentenced to custody (26%) (Chart 11).

Chart 11

Most serious sentence for decedents who were found guilty or plead guilty in the 24 months preceding their overdose death, by select offences, British Columbia, 2007 to 2015

Type of offence



Note: Includes individuals with a court appearance in the 24 months preceding their overdose death. Other drug offences include trafficking, production, importing and exporting.

Source: BC Coroners Service Data, 2007 to 2015; Integrated Criminal Court Survey, 2005 to 2015.

Summary

The results of this analysis show that most of the individuals who died from an illicit drug overdose in the province of British Columbia between 2011 and 2016 never came into contact with police in the 24 months preceding their death. An examination of the socio-economic characteristics of the decedents revealed that those who did have contact with police earned less in employment income, were less likely to be consistently employed and were more reliant on social assistance relative to those who did not have contact with police. In addition, they were also more likely to be hospitalized than those who did not have contact with police. These findings highlight the relative diversity among those who experienced a fatal illicit drug overdose, and illustrate that the opioid epidemic is not restricted to any particular group or population but rather multiple profiles and sub-populations.

While many decedents never came into contact with police, the results of the study indicate that, among those who did, it was not unusual for them to have had multiple contacts with police. The elapsed time between the last contact with police and the overdose death was relatively short, as three-quarters of decedents who had contact with police fatally overdosed within one year of that contact. Most decedents were involved in non-violent offences, primarily shoplifting under \$5,000 and administration of justice offences. Decedents were most likely to be charged by police when they were accused of an administration of justice offence, which may be in part due to a willingness by law enforcement to address previous and repeated criminal involvement.

In line with their police interactions, most of the decedents who appeared in a criminal court within the 2 years preceding their overdose death did so in relation to property offences and offences against the administration of justice. Decedents involved in drug possession cases were among the most likely to incur a finding of guilt, but also among the least likely to be given a custodial sentence.

While this analysis focused on those who died of an illicit drug overdose in British Columbia, and the City of Surrey more specifically, the information gleaned from this study can be extrapolated to inform other cities in the province of British Columbia and the rest of the country, more broadly. Identifying the primary risk factors and those at greatest risk of preventable illicit drug-related deaths will help support the development of evidence-informed interventions, precision programming and policies aimed at preventing future overdoses and saving lives.

Survey description

Uniform Crime Reporting (UCR)

The Uniform Crime Reporting Survey (UCR) was developed in 1962 with the cooperation and assistance of the Canadian Association of Chiefs of Police. The UCR Survey data reflect reported crime that has been substantiated through a police investigation. The data come from all federal, provincial and municipal police services in Canada and involve offences under the *Criminal Code* and other federal statutes.

One incident can involve multiple offences. To ensure the comparability of the data between police services, the counts presented in this article are based on the most serious violation in the incident, determined based on a standardized classification rule used by all police services, generally according to the maximum penalty for the offence. For example, one incident might involve a sexual offence as well as child pornography. In these cases, the incident will be identified according to the most serious violation. If two offences are equally serious according to the classification, the police will determine the more serious.

Integrated Criminal Courts Survey (ICCS)

The Integrated Criminal Court Survey (ICCS) is administered by the Canadian Centre for Justice Statistics (Statistics Canada) in collaboration with provincial and territorial departments responsible for criminal courts in Canada. The survey collects statistical information on adult and youth court cases involving *Criminal Code* and other federal statute offences.

The primary unit of analysis is a case. A case is defined as one or more charges against an accused person or company that were processed by the courts at the same time and received a final decision. A case combines all charges against the same person having one or more key overlapping dates (date of offence, date of initiation, date of first appearance, date of decision, or date of sentencing) into a single case.

A case that has more than one charge is represented by the charge with the "most serious offence" (MSO). The most serious offence is selected using the following rules. First, court decisions are considered and the charge with the "most serious decision" (MSD) is selected. Court decisions for each charge in a case are ranked from most to least serious as follows: 1) guilty, 2) guilty of a lesser offence, 3) acquitted, 4) stay of proceeding, 5) withdrawn, dismissed and discharged, 6) not criminally responsible, 7) other, and 8) transfer of court jurisdiction.

T5007

The T5007 file is derived from the T5007 Statement of Benefits forms issued by the provincial, territorial or municipal social service agencies making the payments. It is a summary of worker's compensation benefits and SA payments, or provincial or territorial supplements; for this project, only the latter is of interest. These are primarily basic social assistance (support payments that are not targeted at particular individuals, other than those in need) and support payments (supplements) for elderly and disabled individuals in need. Such payments are grouped together on the T5007 file, and are referred to as "social assistance" (SA) in this report.

Discharge Abstract Database (DAD)

The DAD contains demographic, administrative and clinical data for all acute care hospital discharges and some psychiatric, chronic rehabilitation and day-surgery hospital discharges for all provinces and territories, excluding Manitoba (before April 2004) and Quebec (all years). The data are provided to Statistics Canada annually by the Canadian Institute for Health Information (CIHI) for each hospital fiscal year (from April to March of the following year). Analyses in the present study were limited to acute care hospitalizations only.

BC Coroners illicit drug overdose records

Records were received from the British Columbia Coroners Office for confirmed illicit drug overdose deaths from 2007 to 2017 (n=3,327). These records were linked in the Social Data Linkage Environment, Statistics Canada's secure linkage platform. In total, 98.7% of records were linked (n=3,283) including 2,362 deaths occurring between 2011 and 2016 (Greenland 2018).

The Coroner records were linked to the following data holdings available at Statistics Canada: Policing data as collected by Statistics Canada's Uniform Crime Reporting (UCR) Survey; criminal court data as collected by the Integrated Criminal Court Survey (ICCS); the Discharge Abstract Database provided by the Canadian Institute for Health Information; and, the T4 and T5007 records provided by the Canadian Revenue Agency.

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Notes

1. An apparent opioid-related death is a death caused by an intoxication/toxicity (poisoning) resulting from substance use, where one or more of the substances is an opioid, regardless of how it was obtained (e.g. illegally or through personal prescription).
2. The first publication presented an in-depth analysis of the employment characteristics and receipt of social assistance for the fatal illicit overdose cohort (Schellenberg et al. 2019).
3. These data represent a snapshot of confirmed illicit overdose deaths provided to Statistics Canada by the BC Coroners Service. Reports published by the Public Health Agency of Canada and other governmental departments may include both confirmed and suspected overdose deaths.
4. The information presented for the industry of work represents the industry for the individual's last held job. Therefore it is possible that the proportion of individuals who ever worked in a given industry is underrepresented.
5. These amounts represent the most recent amount of social assistance decedents received prior to their death.
6. Includes property crimes, drug offences, administration of justice violations, traffic violations, other *Criminal Code* violations and other federal statutes.
7. Represents the most valuable property stolen in the incident.
8. For the Uniform Crime Reporting Survey, the following *Criminal Code* sections are included in the category Failure to comply with conditions: 145.(3-5.1a), 145.(3-5.1b), 810.(3b), 810.01(4), 810.1(3.1) 810.2(4), 811.(a), 811.(b).
9. In British Columbia, the Crown is responsible for laying criminal charges. The police recommend charges to the Crown, but the Crown may opt to decline the charge if they determine there is an absence of evidence required to satisfy the threshold for a criminal conviction.

Detailed data tables

Table 1
Socio-economic characteristics of decedents in British Columbia, by previous contact with police, 2011 to 2016

Socio-economic characteristic	No police contact in 24 months prior to death	At least one contact with police in 24 months prior to death
	percent	
Years employed in the 5 years prior to death		
None	34	34
One to four	37	47
All five	29	20
Industry of last held job		
Construction	20	23
Manufacturing	8	10
Retail trade	10	9
Transportation and warehousing	7	5
Administrative and support, waste management and remediation services	11	15
Accommodation and food services	11	11
Years receiving social assistance in the 5 years prior to death		
None	45	32
One to four	25	34
All five	30	34
Income and social assistance received		
	dollars	
Total income for last year employed — mean	25,207	15,325
Amount of social assistance most recently received — mean	7,875	7,173

Note: Includes individuals who experienced a fatal illicit drug overdose between 2011 and 2016 and who had at least one contact with the police in British Columbia in the 24 months preceding their overdose death. Percentages may not add to 100% due to rounding.

Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016; Linked Longitudinal Worker File, 1989 to 2015; T5007 file, 2006 to 2015.

Table 2
Decedent's contact with the health care system in British Columbia, by contact with police, 2011 to 2016

Type of health care involvement	No police contact in 24 months prior to death	At least one contact with police in 24 months prior to death
	percent	
Number of acute care hospital visits in year prior to death		
None	75	72
One	15	14
Two or more	10	14
Percent with at least one acute care hospitalization for opioid poisoning in the year prior to death		
	4	5

Note: Includes individuals who experienced a fatal illicit drug overdose between 2011 and 2016 and who had at least one contact with the police in British Columbia in the 24 months preceding their overdose death. Percentages may not add to 100% due to rounding.

Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016; Discharge Abstract Database, fiscal years 2009/2010 through 2016/2017.

Table 3
Time elapsed between decedent's last police contact and fatal overdose in British Columbia and Surrey, 2011 to 2016

Time period prior to fatal overdose	Decedents in British Columbia	Decedents in Surrey
	cumulative percent	
1 month prior to fatal overdose	16	10
3 months prior to fatal overdose	33	24
6 months prior to fatal overdose	52	47
12 months prior to fatal overdose	74	75
18 months prior to fatal overdose	89	89
24 months prior to fatal overdose	100	100

Note: Includes individuals who experienced a fatal illicit drug overdose between 2011 and 2016 and who had at least one contact with the police in British Columbia in the 24 months preceding their overdose death.

Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.

Table 4
Reasons for contact with police prior to illicit drug overdose death, by offences type, decedents in British Columbia and Surrey, 2011 to 2016, and all criminal offences in British Columbia, 2009 to 2016

Type of offence	Police contacts for decedents in British Columbia	Police contacts for decedents in Surrey	All criminal offences in British Columbia, 2009 to 2016
	percent		
Violent offences	17	17	15
Property offences	31	35	54
Other <i>Criminal Code</i> offences	17	15	14
Administration of justice offences	19	17	4
Drug offences	11	11	6
<i>Criminal Code</i> traffic violations	4	5	4
Other federal statute violations	1	1	2
Total	100	100	100

Note: Includes individuals who experienced a fatal illicit drug overdose between 2011 and 2016 and who had at least one contact with the police in British Columbia in the 24 months preceding their overdose death. Percentages may not add to 100% due to rounding.

Source: BC Coroners Service Data, 2011 to 2016; Uniform Crime Reporting Survey, 2009 to 2016.