

ADDRESSING THE COSTS BUSINESSES FACE DUE TO CRIME AND THE CONSEQUENCES OF ILLICIT DRUG DECRIMINALIZATION

Issue

Municipalities across B.C. share common issues impacting businesses' ability to operate in a safe environment for their staff, their physical assets, and their customers. Loss of a sense of safety, break-ins, harassment (real or perceived) of customers, parking issues and the increased cost of doing business in unsafe environments have seen businesses close, reduce open hours, and/or cancel plans for growth.

When the decriminalization of possessing illicit drugs in B.C. was legislated (through an exemption by the federal government in November of 2022, with the pilot running until 2026) the issue ignited an ongoing firestorm of controversy in municipalities across the province. Background The Provincial Government in the first few months of 2023 has directed funds at mental health and addiction issues which may, in time, alleviate some of the current issues experienced by businesses dealing with the downstream effects of homelessness, including individuals who are unable to find addiction treatment, or stable living environments. Announcements around this subject continue to be made in Victoria.

While waiting for changes, and for proposed funding to take effect, businesses need better tools now to assist in keeping their doors open and customers coming in. Harm Reduction The funding announced is for more recovery options, which is positive, but it will not positively affect everyone. The understanding of a harm reduction approach to addiction is that some people will always use drugs. In the simplest terms, recovery is not an option or desired for some. Thus, harm reduction aims to reduce the harm of drug use on the individual through making the supply safe and letting them use while supervised so that someone can help them if they overdose.

The newest concern is that the three-year pilot project to allow 2.5 grams of illegal drugs to be purchased and consumed without legal ramifications will lead to drug consumption in public areas to a greater degree than experienced at present, impacting staff's and customers' sense of safety when coming to businesses in effected areas. Shelter space and safe drug testing and consumption sites are inadequate to meet demand. Meanwhile municipalities and regional districts throughout B.C. have addressed the issue through a mix of proposed bylaw changes; an increase in coercive care; more mental health services to counteract the alarming rise in random acts of violence (not limited to B.C., but evident across the country in nearly every province); and by a new focus on the bail restrictions imposed on repeat offenders.

Very little has changed in actual numbers of treatment facilities, and support; but falling back on mental illness as a catch-all for violence is creating its own new stigma of mental health diagnosis and care. What can businesses do to mitigate their rising costs of building and facility repair (broken glass, graffiti, vehicle and building/product damage, and loss of customers and customers? Some have moved, only to find the problems they tried to leave behind are spreading throughout urban areas. Most have pumped up their insurance coverage, their surveillance systems, and in many cases, their outlays on security products and services.

Continued escalation of these costs makes some business unsustainable over the mid- and long-term. The B.C. Government has made "significant strides" on some recommendations according to one criminologist, whose report into repeat offenders made 28 recommendations, among which was civilian-led mental-health crisis teams. However, she says, there needs to be more movement in areas directly

curbing the issue of violence. In Kelowna, the Mayor has struck a task force to examine and report on crime in the city. A poll taken on April 26 asked "Do you believe drug users would abide by a provincial law banning drugs in parks or playgrounds? While 1,330 said yes, 9,565 said no, indicating a major disparity in perception of what is working and what isn't working currently.

As policymakers are considering restricting public substance use, authorities are supporting widening the establishment of designated areas where individuals can use drugs safely and without fear of legal repercussions as noted above. These areas, commonly referred to as "safe consumption sites," have been shown to reduce the negative consequences associated with drug use, such as overdose deaths, and could help mitigate the impact of public substance use on communities. Another approach could be to enforce existing public health laws, such as those related to smoking, to restrict public substance use. This could include fines or other penalties for individuals who are found using drugs in public areas.

This is an avenue municipalities are actively pursuing at present. However, it's important to recognize that criminalizing drug use has not been effective in addressing drug addiction or reducing drug-related harm. Instead, policies that focus on harm reduction and providing individuals with the support they need to overcome addiction and lead healthy, productive lives may be more effective. B.C. has to date been sorely lacking in that ongoing support and separation of individuals into 'wet' and 'dry' facilities.

Coercive care is recognized as no cure-all. Involuntary hospitalization and treatment have never really stopped in Canada; in fact, involuntary hospitalization of British Columbians older than 15 increased 6.7 per cent in the last ten years, with police apprehensions increasing 128.7 per cent. In Ontario, the rise is similar: a 55 per cent increase of people placed on a 72-hour hold over the past ten years, and people hospitalized against their will for two weeks increasing 71 per cent. Sadly, a Canadian with a severe mental illness can access care while incarcerated but is often discharged into a treatment abyss "sick enough to warrant coercion but not sick enough to warrant continuing care."

Ultimately, any policy restricting public substance use should be developed in consultation with communities, including individuals who use drugs, to ensure it is fair, effective, and respectful of the rights and dignity of all members of society. The goal should be to balance the needs of individuals who use drugs with the needs of the broader community, including businesses and residents, to create safe and healthy communities for all. Meanwhile, government owes it to business to double down on help: not just helping the individuals who are causing the mayhem and increased business costs, but to directly mitigate the costs businesses are facing.

This could take several forms: repeated break-ins, building damage, and measurable losses (often reported in proximity to safe consumption sites) would generate financial relief from government, whether in the form of property tax reductions, or direct payments. Since businesses are suffering on their bottom lines, government has a responsibility to listen to their issues, and partner in solutions that mitigate loss and support sustainable solutions for future economic stability.

THE CHAMBER RECOMMENDS

That the Provincial Government, through the Local Government Act:

1. Work with local governments and affected businesses in identified high-impact/high-crime areas to ensure those businesses are not unfairly taxed or financially impacted because of increased costs associated with crime and public safety linked to illicit drug use.

2. Ensure legislative revisions decriminalizing illicit drugs do not sanction public consumption of legally obtained drugs and such consumption of these substances be limited to private homes and overdose prevention sites.

Submitted by the Kelowna Chamber of Commerce and adopted by the BC Chamber Body June 2023