

# KNOW YOUR RIGHTS: CA HARM REDUCTION



## DRUG POSSESSION CAN BE A FELONY AGAIN

- Prop 36 makes your third drug charge of any kind, including possession, eligible to be charged as a felony.
  - You may be eligible for mandated treatment instead of prison.
  - If you are not complying with treatment, you may go to prison.
- Prop 36 requires courts to warn everyone convicted of selling or giving away drugs that they could be charged with murder if they give drugs to someone who overdoses and dies.
- Some Californians were already being charged with murder for accidental overdoses. You can face charges for someone's overdose death without ever receiving a warning.
- Penalties for possessing a substance containing fentanyl have increased.

## DRUG CHECKING BILL EXPANDS PROTECTIONS

- Possessing small amounts of drugs while going to and coming from drug checking services is no longer a crime.
- Drug checking staff cannot legally be forced to give police personal information about people using the drug checking service.
- Drug checking staff are legally allowed to possess and transport small amounts of drugs for testing.

## NEED TO CALL 911 FOR AN OVERDOSE? YOU ARE PROTECTED FROM ARREST

- The Good Samaritan Law protects people who call 911 during an overdose (and the person experiencing the overdose) from being arrested for possessing drug paraphernalia and small amounts of drugs.
- The law does not protect people from arrest for distributing drugs or other types of charges, like parole or probation violations.

## DRUG PARAPHERNALIA LAWS

- Drug residue does not prove drug possession.
- Syringes for personal use are legal.
- Pipes acquired from a syringe services program are legal.



## FOR MORE INFORMATION

Instagram: @drugcheckingla  
Website: drugcheckingla.com  
Email: checkingla@proton.me

Prepared by Drug Checking Los Angeles,  
February 2025

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