

COMPARISON OF RISK AND PROTECTIVE FACTORS IN BIRTHING PEOPLE WHO USE SUBSTANCES (BPWUS) WITH AND WITHOUT A HISTORY OF CONVICTION WHO HAVE USED SUBSTANCES DURING PREGNANCY

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Background: The Parent-Child Assistance Program (PCAP) is a three-year, trauma-informed intervention that provides support, advocacy, and service connection to birthing people who use substances (BPWUS). This population has higher risk of criminalization, which further marginalizes this population. The risk and protective factors associated with the criminalization of BPWUS are greatly under-researched. This study explores the criminalization of PCAP clients, including psychosocial factors.

Methods: This observational, retrospective study describes criminalization of PCAP clients, measured as arrests/charges, conviction, and breach of parole or probation, within the PCAP population. Chi-squared analysis was used to compare psychosocial risk and protective factors between clients with and without a history of conviction.

Results: Of 77 PCAP clients, 64% had a previous charge or arrest. Of those, 54% had at least one conviction. Of those with charges, 70% had a charge for shoplifting/vandalism, the most common charge, followed by parole/probation violations (46%). No statistical significance was observed between the two populations for risk and protective factors including foster care placement, child protection involvement, adoption, long lasting relationships with loved ones, disclosed abuse, depression, and anxiety.

Conclusions: While the current study did not identify a significant link between psychosocial risk and protective factors and the likelihood of criminalization, it does highlight the fact that most common charge among this sample is related to shoplifting/vandalism, followed by parole/probation violations. This means that BPWUS substances become engaged in the justice system for a crime that is often linked to acquiring basic needs (shoplifting), and then become trapped in the system when they cannot meet requirements of their parole and probation terms. Having a criminal record creates an enormous barrier for employment and keep BPWUS and their families trapped in poverty.

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