

**Stopped by
the police.**

What to do?

~~Racial Profiling~~

How to react if you are stopped by police?

Know your rights!

Stop and searches by the police are an everyday reality for many people. **Although discriminatory police stops are illegal**, there are very limited possibilities to defend yourself against racial profiling. If you resist, you **risk being arrested and prosecuted**. Please keep in mind that almost any behaviour on your part can be used as an excuse for severe actions by the police. Discrimination by the police is difficult to prove in court, and the court usually protects the police. Furthermore, **a criminal conviction can have serious consequences**, especially if you do not have a legal residence status.

Nevertheless: You have the right to resist racist stops and institutional racism by police.

Strategic advices

1 Question the officers' motives: *“Why are you stopping me?”* Tell the police that you perceive their practice as arbitrary and discriminatory.

2 Respond: *“I’m not making a statement!”* If you are stopped by the police, you only have to state your name, your current address, your occupation, and your date of birth – that’s it. You don’t have to say anything else, and you don’t have to answer further questions. You have the right to **refuse to answer**.

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3 Ask the police officers: *“Tell me your name and badge number, please.”* They may refuse to give you an answer. Therefore, it is important to **make a note of the police officers' appearance**.

4 Engage nearby pedestrians: *“Excuse me, could you please observe the police officer’s conduct?”* After your interaction with the police, ask other bystanders for their **email address** or **phone number**. Ask them to write a **witness statement**.

5 State your rights: *“I do not consent to the search!”*

The police have the authority to **empty your pockets and frisk you for weapons** in public. But they can't strip search in public. Only medical personnel (doctors) are allowed to conduct a body search including mouth, genitals, buttocks etc. If the police confiscate your belongings, ask for a receipt and ask them to **“seal off” your belongings in a bag** to prevent them from getting more information about you.

6 Take notes: After the identity check, **write a report** of the event. Write down the place, date and a detailed report, with the names of the police officers, and names and contact details of witnesses.

7 Speak out: Report verbal and physical **assaults** (such as insults, threats, or physical harm) by the police to **advocacy and legal aid groups** (see next pages).

In case you are arrested

- **Request the reasons** for being held in custody.
- If you are arrested, **you do not have to make a statement to the police.**
- You have the right to consult a **lawyer** and **a translator**. Refuse to make any further statements until a lawyer is present. Request that the police contact a lawyer for you immediately.
- You have the right to **inform someone you trust** by phone as soon as possible.
- **Do not sign** anything that you do not understand or that you disagree with.
- If you were injured during your interaction with the police, request to have your **injuries documented** in the notes of the arrest.
- After your release, **take a photograph of visible injuries** and get a medical certification.

Where to find support?

SWITZERLAND

Alliance against Racial Profiling

www.stop-racial-profiling.ch

Augenaufl: non-governmental, independent human rights organization – Basel, Bern and Zurich, www.augenaufl.ch

More information and support after experiences of racial discrimination are offered by the **24 members of the counselling network for victims of racism** throughout Switzerland: www.network-racism.ch

GERMANY

Campaign for victims of racist police violence Berlin, Bremen and Kiel
<http://kop-berlin.de>

Polizei-Gewalt.com: nation-wide documentation center for police violence (in Germany)
www.polizei-gewalt.com

Copwatch: phone hotline, information and documentation center for victims of racist police violence in Frankfurt am Main, Hamburg and Leipzig
telephone copwatch ffm: +49-69-34 87 73 15
<http://copwatchffm.org>

AUSTRIA

Zivilcourage und Anti-Rassismus-Arbeit (ZARA), An organization against racial discrimination promoting a society free of racism, www.zara.or.at

Further information

humanrights.ch Extensive collection of legal information, debates, cases, media reports and studies on the subject of racial profiling in Switzerland.

Report for the rights and mobility of black African migrant persons in Switzerland and in Europe. Report by the Jean Dutoit Collective on discrimination, impairment of rights, abuse and persecution of Black African migrant men in Switzerland (2018).

What is Ethnic Profiling? Fact sheet by the Open Society Justice Initiative, 2020

Enforcing Order: An Ethnography of Urban Policing (Fassin 2013).

Racial Profiling: Research, Racism, and Resistance. (Glover 2009).

The Problem of Ethnic Profiling in Europe. Open Society Justice Initiative, 2011.

IN GERMAN

Racial Profiling: Erfahrung, Wirkung, Widerstand. An interview-based study by the Collaborative Research Group Racial Profiling with people affected by racist police stops (2019).

Racial Profiling. Struktureller Rassismus und antirassistischer Widerstand. (Structural Racism and Anti-Racist Resistance). Collection of scientific, artistic, and activist contributions on racial profiling and the possibilities of intersectional, anti-racist resistance (Wa Baile et al., 2019).

Alltäglicher Ausnahmezustand. Institutioneller Rassismus in deutschen Strafverfolgungsbehörden. Contributions from activist and academic perspectives on racism within the police and criminal justice institutions, published by the Kampagne für die Opfer von Polizeigewalt (2016).

Copwatch Frankfurt. Information and documentation center for victims of racist police violence, <https://copwatchffm.org/>

GERMAN/FRENCH/ITALIAN

Anti-Schwarzen-Rassismus in der Schweiz – Eine Bestandsaufnahme. Exploratory study on racism against black people, commissioned by Fachstelle für Rassismusbekämpfung (2017).

Rassismuvorfälle aus der Beratungspraxis. Annual reports of the Advisory Network for Victims of Racism on incidents of racism in Switzerland.

Text

Collaborative Research Group Racial Profiling Switzerland
Alliance against Racial Profiling
www.stop-racial-profiling.ch

Graphic

Zoff Collective



Outrage Collectif

