

BDB e.V.

Bund für Antidiskriminierungs- und Bildungsarbeit in der
Bundesrepublik Deutschland eV (BDB)

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BDB e.V. aims to support overcoming social exclusion and discrimination. Our main focus is cultural discrimination and racism. Our activities include:

- 1) Counselling for people who have been the victim of discrimination and racism
- 2) Training and education in prevention and empowerment
- 3) Research and publications
- 4) Networking and political lobbying

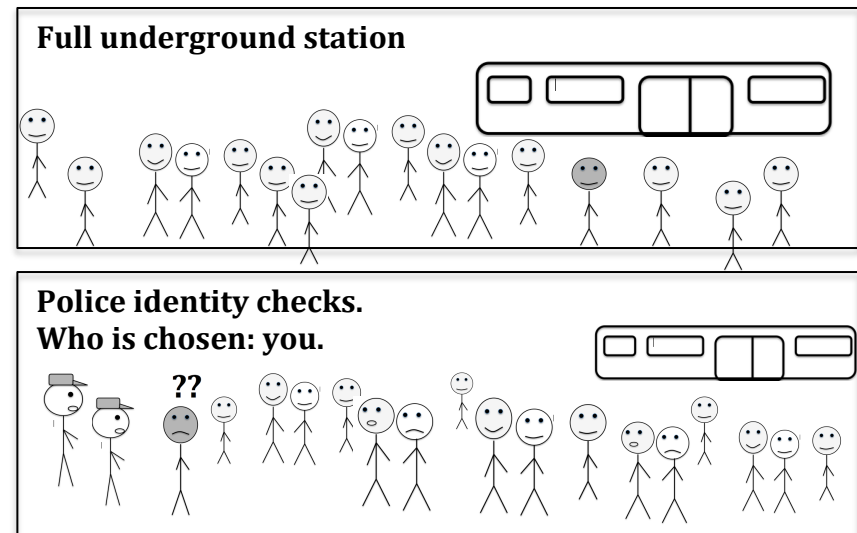
This flyer and the accompanying mobile empowerment workshops were supported by the following foundations:



and



Does this situation look familiar?



The underground station is full, and the only identification papers the police want to see are yours. This is part of everyday life of people with dark skin or eye-colour or who wear “different” clothing. When the police chooses people based on these things, that is discrimination. Sometimes they do this because they as individuals don’t realize they are swayed by their stereotypes. However, this is also part of an unofficial practice called “racial profiling”.

How can you deal with this situation with more dignity, without it escalating into violence*?

As part of our antiracism work, BDB eV has created this flyer in order to empower and support people in this unjust situation with practical information. We would like to contribute to the de-escalation of these situations and to help make the public and state institutions aware of this problem.

* For asylum seekers or people without legal papers, further problems may arise. The following organisations offer counselling and support:
KUB (kontakt@kub-berlin.org, Tel: 030/6149400),
Antidiskriminierungsbüro Berlin (adb_berlin@gmx.de, Tel: 030/2042511)

Was können Sie tun?

1) Breathe. Remain calm and respectful.

It is understandable if you get upset in a situation like this. However, the police have more power in this situation than you do. With comments such as “racist” or insults such as “nazi”, the police will charge you with “insulting an officer”. It is easier to file a complaint with the official authorities if you have remained calm.

2) Ask “why?”

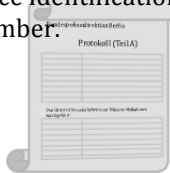
Ask the police why they want to see your identification. They have to give you an answer. The police are also not allowed to search you or take you to the police department without a reason (See the next page).

3) Find witnesses.

Especially if the communication with the police starts to become difficult, it makes sense to ask people passing by if they could be a witness to this situation. If someone says yes, then exchange your contact information with him/her. People passing by are more likely to help you if you yourself are calm.

4) Ask for a “stop and search form” (*Kontrollschein*)

Ask the police for a stop and search form (*Kontrollschein*). This way they will become more aware of how they are conducting these police checks. With this form, you also have “proof” of being stopped. You may also give a copy of this form to an organization which documents police checks of people with a migrant background (for example, ARI (mail@ari-berlin.org), ReachOut (Tel: 030/69568339)). If the police does not give you a stop and search form, ask to see his or her police identification, in order to write down his or her name, status, and number.



Important to know*:

If the police have already started an identity check, they will generally finish it. Attempts to stop them from continuing their check are likely to fail.

The police are allowed to check your identification papers.

If you do not show the police your identification papers/card or passport, then they are allowed to try to find out who you are by searching you and your things or by bringing you in to the police department. They may also check your personal information in their computer system. This is done especially often in so-called “dangerous areas”.

If the police has seen your valid identification information, then they are ONLY allowed to search you IF:

- 1) ... they have evidence making you a suspect of a crime – or if they find that you have already been committed of a crime or that you have been prohibited from spending time in that area.
- OR 2) ... the search helps to catch someone else or to find clues leading to someone else’s arrest. For instance, if a policeman saw someone put something in your bag without you knowing.
- OR 3) ... the police have reason to believe that you may attack (for instance due to a loud argument with him/her). Therefore it is important to stay calm.

If neither of these situations is the case, you may refuse the police search (“Nein, lassen Sie das. Ich bin nicht einverstanden.”). If the police tries to do this anyway, you can say, “Nein, machen Sie das nicht. Sonst machen Sie sich gemäß Paragraph 344 des Strafgesetzbuches der Verfolgung Unschuldiger strafbar.”

You are allowed to:...

- 1) ... ask for a stop and search form (Kontrollschein) (see previous page).
- 2) ... ask for the identification of the policeman/-woman and write down his/her number.
- 3) ... use this identification number to file a complaint (Always file both a “Strafanzeige” and a “Strafantrag”, because some complaints are only pursued for “Strafantrag”.) Do not file the complaint with the police, but rather with the public prosecutors’ office (Staatsanwaltschaft).
- 4) ... refuse to answer any questions (“Hierzu mache ich keine Angaben”).
- 5) ... ask people passing by to be a witness. If he/she says yes, exchange your contact information.

*Sources: „Was darf die Polizei? Was darf sie nicht?“ (www.kop-berlin.de), Polizeigesetz and Bundespolizeigesetz (www.gesetze-im-internet.de).