

# BDB e.V.

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

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Since 1996 BDB e.V. has aimed to support overcoming social exclusion and discrimination. Our main focus is cultural discrimination and racism. Our activities include:

- 1) Advice and support for people who have been the victim of discrimination and racism
- 2) Training and education in prevention and empowerment
- 3) Networking, political activism and political lobbying

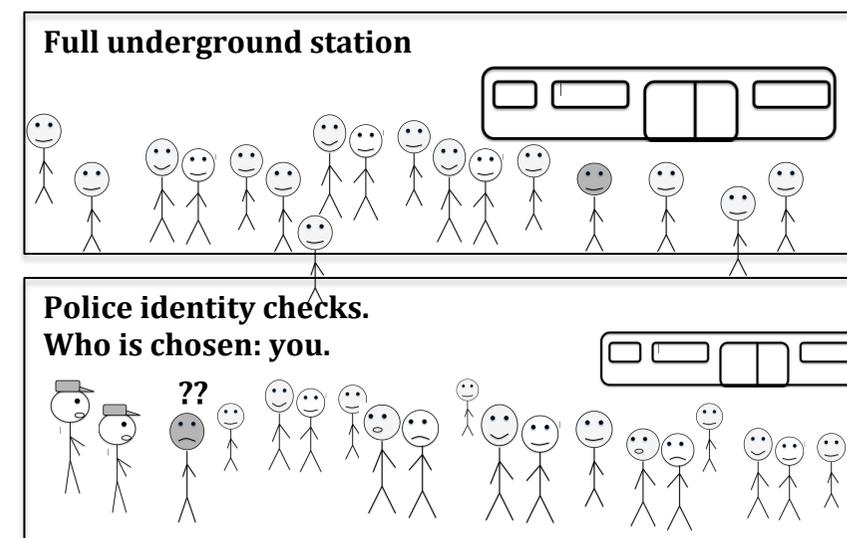
This flyer and the accompanying mobile empowerment workshops were supported by the following foundations:



Senatsverwaltung  
für Arbeit, Integration  
und Frauen



## 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, this is unjust and unequal treatment, 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)

# How can you deal with this?

## 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.

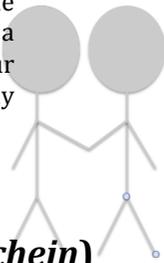
Especially if the communication with the police starts to become difficult, it makes sense to ask people passing by if they could be a witness to this situation. If someone says yes, then exchange your contact information with him/her. People passing by are more likely to help you if you yourself are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

For more detailed information see [bdb-germany.de](http://bdb-germany.de) or [kop-berlin.de](http://kop-berlin.de).

**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 identity:

This means that the police can ask you for your identification card/passport and for your name, date of birth, place of birth, home address and nationality. **You do not have to ask any other questions.** If you do not show your identification card or passport to the police, then they will be allowed to search your person or your possessions (for this purpose) or take you to the police station. The police may compare your data on the computer.

**The police may examine individuals *without reasonable grounds for suspicion* at the following locations:**

- **"Kriminalitätsbelastete Orte" (KbOs\*\*) [high crime rate areas] in Berlin:** The Berlin police manages a list of KbOs, i.e. locations where they notice many serious crimes take place. Here, the police is allowed to check your identity, search you and your belongings.
- **Trains, train stations, airports or in border regions (up to 30 km):** To prevent the illegal entry of foreigners, the federal police is allowed to carry out check your identity, but may only search you and your things if there is grounds for suspicion (see below).
- **In the car:** the police is allowed to ask your identity and ask you for your driver's licence and car registration. The police may then check whether the car is in work-ing order, i.e. equipped correctly and securely. If there are grounds for suspicion (for example, smell of alcohol), the police may have a doctor take a blood sample at the police station or hospital. All other searches (trunk, suitcases) and tests (urine sample, balancing tests) are voluntary. You do not have to take them if you say "no".

**IF YOU ARE NOT IN ONE OF THESE PLACES, the police should *only* carry out identity checks and searches if there is grounds for suspicion,** that is there is evidence making you a suspect for a crime *or* there are reasons to believe that a search will help catch the suspect *or* the police has reason to believe that you could attack him or her (so stay calm). According to the German Constitution, skin colour or assumed religion or nationality is not supposed to be a reason for suspicion!

### 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”). Caution! Saying nothing is considered consent!
- 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](http://www.kop-berlin.de)), Polizeigesetz and Bundespolizeigesetz ([www.gesetze-im-internet.de](http://www.gesetze-im-internet.de)), Deutsche Anwaltsauskunft ([anwaltsauskunft.de](http://anwaltsauskunft.de)), Thanks to Prof. Dr. Clemens Arzt for his comments!

\*\* List of KbOs in Berlin: [Berlin.de](http://Berlin.de), Der Polizeipräsident in Berlin, "Kriminalitätsbelastete Orte"