

# RANDOMLY SELECTED

## RACIAL/ETHNIC PROFILING IN SWEDEN



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## FOREWORD

In April 2017, the Svea Court of Appeal in Stockholm ruled that the police authority in Skåne had stored personal data in a comprehensive register simply because the individuals included were Roma. Close to 4,700 individuals were awarded damages of historical proportions. The Skåne police authority's register of Roma individuals is an example of the police acting on the basis of the ethnicity of individual persons. It is a practice with historical roots, in which certain social groups have been considered important to control and monitor.

The profiling of people based on a constructed concept of race or ethnicity as a method in law enforcement has been debated in Europe and the US for many years. Studies have been carried out, legal cases have been pursued, and, in countries such as the UK, the problem has received official recognition and police authorities are actively working to identify and correct internal deficiencies. In Sweden, the police has consistently rejected allegations that profiling is being used as a working method. When individuals argued that they were being stopped because of their appearance at the internal immigration controls in connection with the so-called Reva project, the police brushed the allegations aside and said that their mode of operation was colour-blind. These reactions indicate an ignorance, or even an inability to identify the problems, but also show how individual police officers may face conflicting directives and be left to answer for their own actions. After the

Skåne police authority's Roma register had been uncovered, the police apologised to the Roma individuals concerned. But it remains to be seen whether the police will take the significance of the register to heart and introduce concrete measures to investigate the root causes and to prevent racial/ethnic profiling from being used as a working method in the future.

Law enforcement agencies, not least the police, have a central role to play in ensuring respect for human rights and fundamental freedoms. In order for the police to carry out its mission in the best possible way, a high level of public confidence is required. It is therefore essential that the police carry out its work in a manner that is not discriminatory or perceived as such. This report is a first step towards increasing the awareness of racial/ethnic profiling in a Swedish context, the manner in which it is used as a method in police work, and what the consequences are for the victims as well as for society at large. The purpose of the report is to lay the foundations for a more knowledge-based and constructive discussion on working methods, efficiency, and impact. Our hope is that the report may contribute to measures being taken to strengthen the police by ensuring working methods that are characterised by objectivity and perceived as fair.

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## SUMMARY

This study is part of a report series from the Department of Criminology at Stockholm University. It has been carried out by the criminologist Leandro Schclarek Mulinari on behalf of Civil Rights Defenders. The study is qualitative and based on interviews with police officers, as well as individuals who have been subjected to racial/ethnic profiling. The interview subjects are Afro-Swedes, Muslims, and Roma, mainly from the marginalised residential areas of major cities. The overall aim of the report is to deepen the understanding of a much-debated but under-examined phenomenon in Sweden.

Being singled out by the police because of one's race or ethnicity is a common experience for certain groups. When subjects of the study recount experiences in which race or ethnicity has been a factor in police controls, they are primarily describing everyday situations: driving, border crossings, or interactions in public spaces. Frequently being stopped by the police leads to a feeling of being perceived and treated as a potential perpetrator for no reason. The interviewees further describe the suspicion they face, even when they are the victims of crime.

The study highlights similarities and differences in how police treatment is experienced by different ethnic minorities and racialised groups. Interviews with Roma individuals demonstrate the historical continuity in the context of which racial/ethnic profiling in Sweden must be understood. Experiences recounted by Muslim

individuals demand an analysis of how this group is being singled out by the Swedish Security Service (Säpo).

From the perspective of the police, the issue of racial/ethnic profiling is sensitive. Thus, criticism against the police is often dismissed. The police officers interviewed in this report describe their own work as colour-blind. The dominant perspective is that an individual's background and appearance are not taken into account. In contrast to the groups affected, the police does not experience race/ethnicity as a factor that determines who will be subjected to controls and surveillance.

The police's logic for explaining experiences of racial/ethnic profiling offers three arguments. Firstly, police officers suggest that bad apples exist within the force, just as in society at large. Racial/ethnic profiling is reduced from phenomenon to individual incident – rationalised as an anomaly. Secondly, certain work, such as immigration control, is understood as inherently racialised. The third argument has to do with location, as the police refers to how certain residential areas are more crime-ridden than others. This, the police claims, explains why ethnic minorities and racialised groups are stopped more often by the police than other members of society.



# 1. INTRODUCTION

In the early 1980s, in the wake of the war on drugs in the US, profiles are developed to stop suspected couriers at airports. This is later extended to highways, and police officers are trained to identify potential criminal drivers. As an effect, blacks and people of Latin-American origin are stopped for minor offences in unprecedented numbers. This gives rise to the wordplay “driving while black” or “driving while brown” (DWB). The concept refers to the offence driving while intoxicated (DWI) and points to race/ethnicity as a crucial category in police checks (Rusell, 1998; Harris, 2006; Meeks, 2010).

An academic term that describes the police’s practice of categorisation on the basis of appearance and assumptions about people’s backgrounds is racial/ethnic profiling. In a Swedish context, the conversation about this phenomenon is still in its infancy. The term was introduced in the 2000s via the US, partly through news related to drug control and partly as an effect of the war on terror. A simple search in the media archive Retriever yields the following results: between 2000 and 2012 there are a total of 57 hits for “racial profiling” and “ethnic profiling”. In 2013, the number has risen to 201. This quantitative leap is linked to the news reporting that follows on the revelation of the Skåne police authority’s register of over 4,000 Roma individuals.<sup>1</sup> It is also a consequence of the debate concerning the hunt for undocumented individuals in the Stockholm subway.<sup>2</sup>

2013 also sees riots break out in Husby, a Stockholm suburb. The residents’ frustration, not least with the police, has been highlighted as one of the causes of the escalating situation (de los Reyes, et.al., 2014). The events can be viewed as the manifestation of a pattern that has repeated itself for decades in segregated cities. What unites the riots in Husby with the fabled riots in Brixton in 1981, the street battles in Los Angeles in 1992, and clashes between youth and the police in French suburbs

***What unites the riots in Husby with the fabled riots in Brixton in 1981, the street battles in Los Angeles in 1992, and clashes between youth and the police in French suburbs is the spark that ignites the flame.***

is the spark that ignites the flame. In 29 of the 48 major riots in France during the 1990s, the police is considered to have been the triggering factor (Dikec, 2007). In Los Angeles, inhabitants react to the fact that the police officers in question have not been convicted after the violent arrest of a black man; in Brixton, the events are preceded by a massive police operation in which thousands of mainly black youths are stopped in the streets (Keith, 1993). In Husby, the police kills an elderly man with a shot to the head and proceeds to spread false information about the circumstances (Schierup, Ålund & Kings, 2014).

In times when demands for tougher measures, more police officers, and more control and surveillance is the prevailing criminal policy line, this is important to keep in mind. The police is the authority responsible for safeguarding law and order, sometimes by force – if necessary. The goal is to establish boundaries between criminals and law-abiding citizens, but in practice unequal power relations are also maintained based on people’s race or ethnicity. At the same time, the police has a difficult social mission: to stop and prevent crime. The job description brings to the fore a conflict between legal certainty and efficiency, which in turn relates to questions about the legitimacy of the police force and the principle of equality before the law.

## 1) THE ROMA REGISTER

In 2013, it is revealed that the Skåne police authority keeps a register titled “Travellers”. It covers a significant portion of the Roma population in Sweden. A total of 4,673 people are registered, of which 1,104 are children under the age of 15. 52 of these are two-year-olds, 82 are three-year-olds, and 83 are four-year-olds. According to the police, the purpose of the register is to map out criminal networks. They maintain that it is not a register based on ethnicity, but a working document. However, the majority of individuals in the register have no previous criminal record and are not suspected of any crimes. The fact that children are included is explained with reference to the need to chart the identity of the adults and with the claim that they can be used as a tool for crime, for example as drug mules. Civil Rights Defenders is pursuing legal action on the basis of ethnic discrimination. Both the District Court and the Court of Appeal pass a verdict against the State, which denies the allegations. The Chancellor of Justice decides that all who have been registered shall receive 35,000 SEK as compensation.

## 2) INTERNAL IMMIGRATION CONTROL

In 2013, the police authority’s identity checks in the Stockholm subway causes a big commotion. Connections are made between the checks and Reva, a collaboration between the police, the Prison and Probation Service, and the Swedish Migration Agency, which aims to streamline the deportation of undocumented migrants. According to reports in the media, the checks are misdirected in nine cases out of ten. People testify to being stopped because of their appearance, and the police is accused of racial/ethnic profiling. However, in its own supervisory report (2014) the National Police Board concludes that the internal immigration control has worked well and that these checks have not been based on people’s appearance, background, or language. The report offers detailed information from four regions: The police authorities in Jönköping, Södermanland, Västmanland, and Stockholm. In 2013, these authorities carry out a total of 15,587 internal immigration controls. Around 14 per cent of these lead to enforcement or are handed over to the Migration Agency.

It is important to keep in mind that racial/ethnic profiling can be understood both as a criminalisation of specific groups, closely linked to issues surrounding stereotypes, structural discrimination, and racism, and as a necessary part of the police authority's crime prevention (cf. Heumann & Cassak, 2003; Hydén & Lundberg, 2004; Welch, 2007).

In Sweden, there has long been a conspicuous absence of investigations of racial/ethnic profiling, compared to other countries such as the US and England. In these countries, there is ample access to statistics and a tradition of research around different aspects of the phenomenon. This qualitative study is an attempt to expand the understanding of racial/ethnic profiling in Sweden. It

takes as its starting point interviews with members of the groups subjected to profiling as well as with police officers.

The questions that guide the report are: How is racial/ethnic profiling experienced in Sweden? What are the consequences? How can racial/ethnic profiling be understood from a police perspective? The interviews are analysed using two approaches. On the one hand, the situations that lead ethnic minorities and racialised groups to speak about the phenomenon are clarified. On the other hand, the basic arguments through which police officers explain and understand these experiences in relation to their professional activities are formulated.

## 2. WHAT IS RACIAL/ETHNIC PROFILING?

Racism is a system of domination that functions through the upholding of unequal power relations based on race/ethnicity. Race is a socially constructed category, and the process through which certain bodies are constructed as non-white is referred to as racialisation (Omi & Winant, 1986: 64). At the same time, there are groups in Sweden – such as Roma – who define themselves as an ethnic minority and have this official status. Therefore, the term racial/ethnic profiling is used throughout the study, unless studies by other people are being cited.

There is no uniform definition of racial/ethnic profiling. As a police practice it is often set against the principle of equality before the law. The issue is discussed in relation to racism and structural discrimination, both conscious as well as unconscious (cf. Martens, Shannon & Törnqvist, 2008; Meeks, 2010). The overarching question is why certain groups are subject to interest from the police to a disproportionate degree. However, the term is used in different ways, even though race/ethnicity is generally considered to be a crucial factor in relation to identity checks, surveillance, counterterrorism efforts, and the

searching of pedestrians, vehicles, and passengers. Two competing definitions of racial/ethnic profiling can be discerned, one narrow and one wide.

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Under the narrow definition, racial profiling occurs when a law enforcement action is based on the race of the suspect, so that race is the sole criterion for questioning, stopping, or searching a suspect (Ramirez, Hoopes & Quinlan, 2003: 1204).

The strength of a narrow definition is its ability to describe racial/ethnic profiling using statistics. The definition has had significant impact, partly due to the fact that social movements in England and the US have demanded that the police record who they choose to stop and keep statistics on the basis of race/ethnicity. There is thus a large amount of data available, with which researchers have highlighted distinct differences in how the police controls different groups.<sup>3</sup> However, the strength of

### 3) DISPROPORTIONATE CONTROL

- A black person in the United Kingdom is four and a half times more likely to be stopped and searched by the police than a white person (Ministry of Justice, 2015: 30). A report from the Equality and Human Rights Commission (2010) notes that this figure has fluctuated between four and eight since 1995. The effect of "stop and search" is limited. Criminal activity is detected in only 0.2 per cent of cases. Other figures indicate that the risk that ethnic minorities and racialised groups are detained in airports in England is 37 times higher. For people of Asian origin, the risk is 80 times as high (Faith Matters, 2016).
- Figures from New York show that black men and men of Latin-American origin between the ages of 14 and 24 are

stopped in 38.6 per cent of cases, despite the fact that they only represent 4.7 per cent of the city's population. In 90 per cent of cases, the stop is not followed by any police action. According to a report from Amnesty International (2004), close to 32 million – corresponding to ten percent of the US population – report that they have been subjected to racial/ethnic profiling.

- The EU has carried out a survey on minorities and discrimination (EU-MIDIS, 2010) that consists of interviews with 28,500 people selected at random. The report shows that in all member states, only people with a minority background have been stopped three or more times by the police during the last 12 months. On average, 35 per cent of men and 14 per cent of women with a minority background have been stopped during the last 12 months.

a narrow definition is also its weakness. A definition that takes a single factor as its starting point limits our understanding of what fits within the profiling practices of the police. Issues of race/ethnicity are also closely connected to gender, age, and location. In addition, the narrow definition does not show how racial/ethnic profiling may occur when people commit offences, such as when drivers from certain groups are stopped to a disproportionate extent for less serious offences. It thus obscures key aspects of the problem.

*The narrow definition of ethnic profiling fails to capture the reality of policing on the streets during which officers base decisions on a number of factors that may include or be related to a person's perceived ethnicity. Ethnic profiling may be caused by the purposefully racist behavior of individual officers, but it may also result from the unconscious use of racist stereotypes, and it can reflect institutional factors such as unequal enforcement of the law or deployment patterns that have a disparate impact on ethnic minority groups (Justice initiative, 2006: 17–18).*

A broad definition of racial/ethnic profiling makes a more complex understanding of the phenomenon possible. From this perspective, profiling is understood as practices in which race/ethnicity is a determining factor in police activities, which consolidates unequal power relations. This broad definition guides the study and is in line with its qualitative approach. The starting point is that experiences of racial/ethnic profiling should be understood as complex, while the need for quantitative studies is underlined (cf. Etienne, 2010: 1527). By letting empirical evidence form the basis for the analysis of the conditions in Sweden, the study also avoids problems related to the transfer of a definition from one context to another. In this way, it enables an examination of the various aspects of the phenomenon based on the informants' perspective (cf. Buerger & Farrell, 2002: 273).

The report defines racial/ethnic profiling as a measure that, with the aim of preventing and combating crime, affects ethnic minorities and racialised groups. The practice is thus not understood as inefficient or illegal in nature, though that is often the case.<sup>4</sup> After all, sometimes the police hits the mark. Moreover, throughout history there has been statutory support for law-enforcement measures with a focus on ethnic minorities and racialized groups. Often the police is simply implementing the law, and the law itself may be designed in a way that legitimises racial/ethnic profiling (cf. Russell, 1998; Bonikowski, 2004; Glover, 2009).

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#### 4) INEFFICIENT PROFILING

In a report from Amnesty International (2004), the risks associated with racial/ethnic profiling are described with reference to examples from US history.

- In 1901, the country's president, William McKinley, is assassinated by Leon Czolgosz, an anarchist and the son of Polish migrants. Prior to the attack, security guards focused their attention on Jim Parker, a black man whom they perceived as suspicious. It turns out, however, that Parker is a police officer. His actions lead to the president being saved from a third bullet.
- In 1942, after the attack on Pearl Harbor during World War II, close to 110,000 people of Japanese origin residing in the US are forcibly detained. They are considered a security risk. During the war, a total of ten people are convicted of espionage. None of them are of Japanese origin.
- In 1995, 168 people die in the bombing of a building in Oklahoma City. More than 600 people are injured. Timothy McVeigh, an army veteran with racist sympathies, manages to escape while the police focuses on finding terrorists of Arab appearance.



### 3. WHAT KNOWLEDGE IS THERE ABOUT RACIAL/ETHNIC PROFILING IN SWEDEN?

There is no comprehensive research on racial/ethnic profiling in Sweden. However, some reports, studies, and dissertations have scrutinised the police authority's relationship to ethnic minorities and racialised groups. These show that race/ethnicity has long been a central category in police work.

The government has, for example, developed a white paper covering the State's abuse against Roma, in which the police has played a crucial role (Ds 2014:8). In 1935, the Malmö police establishes a register of 1,600 people classified as "Gypsies". Police officers traveled around in southern Skåne to photograph entire families; the files contain information about adults as well as children and the deceased (Ericsson, 2015). The Equality Ombudsman has made parallels between this mapping and the Skåne police's register of Roma individuals from 2013 (Broberg, 2014; cf. The Equality Ombudsman, 2014).

Race/ethnicity has also long been a central category in the police's counterterrorism efforts. In connection with the murder of Olof Palme, lead investigator Hans Holmér suggested that Stockholm Stadium be used as a detention centre for Kurds suspected of involvement with the PKK, the Kurdistan Workers' Party (Cantwell, 2017). Nowadays, the focus has shifted to Muslim groups. In parallel with the introduction of current terror legislation in 2003, the security service began to carry out preventive efforts in the form of community policing. This includes building relationships with strategically important Muslim actors, but also carrying out so-called voluntary conversations, mainly with young people who are considered to be at

risk for engaging in security-threatening activities (The Swedish Security Service, 2010).<sup>5</sup> Researchers have warned of how, as a consequence, Muslims are at risk of becoming suspects despite not having committed a crime. When the line between radical views and actual offences is blurred, constitutional rights and freedoms are at risk of being overridden (cf. Flyghed, et al., 2011).

Racial/ethnic profiling has also been discussed in light of crime-prevention efforts in areas where ethnic minorities and racialised groups are overrepresented. The government investigation *Sverige inifrån: röster om etnisk diskriminering* ("Sweden from within: voices on ethnic discrimination") (SOU 2005:69) documents experiences of racial/ethnic profiling as a result of an increased police presence in these kinds of neighbourhoods. One participant said: "There are ten police vehicles in Rosengård, but none in a privileged area like Limhamn." A study based on interviews with young people in Rosengård indicates that regular checks lead to a hatred of the forces of law and order and become a motive for stone-throwing at the police (Hallin, et al., 2010). The fact that the police has identified 61 prioritised residential areas in law enforcement work is relevant in the context (The Swedish Police, 2017).<sup>6</sup> Most of these have a population that is largely made up of ethnic minorities and racialised groups. One of these is the Stockholm suburb of Husby that saw riots break out in 2013. Studies of the causes of the riots stress how everyday police checks led to a frustration that found concrete expression (cf. de los Reyes, et al., 2014; Schierup, Ålund & Kings, 2014).

The issue of racial/ethnic profiling is also brought to the fore at border controls. Not least Muslims and assumed Muslims are a particularly vulnerable group (Kumlin, 2014; Bursell, 2016). The implementation of internal immigration controls in the Stockholm subway in 2013

#### 5) THE SECURITY SERVICE'S COUNTERTERRORISM EFFORTS

In addition to traditional intelligence work, part of the security service's crime prevention strategy is to establish good relations with Swedish Muslims. Since 2003, the security service engages in community policing. The aim is to contribute to an open dialogue, and by extension counter radicalisation and extremism. Within the Security Service there is an awareness that such efforts may contribute to a stigmatisation. The report *Våldsbejakande islamistisk extremism i Sverige* ("Violent Islamist extremism in Sweden") (2010) states that the security service's practice of community policing is described "in positive words" by the informants in the study. "However, some expressed the opinion that it feels strange, and sometimes even stigmatising, that the only point of contact between Muslim associations and Swedish authorities is through the security service" (The Swedish Security Service, 2010: 99). The same report also describes how the security service offers voluntary conversations, mainly with young people who are perceived to be at risk for "security-threatening activities". The report does not state the number of conversations taking place or how youths have been identified. Those called on to join these conversations are not suspected of having committed a crime.

#### 6) VULNERABLE AREAS

Since 2015, the police has identified a number of neighbourhoods in Sweden as particularly vulnerable. In the report from 2017, these amount to 61 areas, eight more than in 2015. According to the police, these areas are united by widespread criminal activity. At the same time, social vulnerability is also emphasised. Around 40 per cent leave compulsory education without high school eligibility. The national average is at around 12 to 13 per cent. In light of this, it is observed that the situation is far more "complex than a criminal phenomenon" (The Swedish Police, 2017: 36). The report from 2015 clarifies the types of areas that are primarily identified: public housing neighbourhoods built under the Million Programme in the 1970s and which are inhabited by "people with weak financial resources, often with an immigrant background or in social exclusion" (The Swedish Police, 2015: 8).

increased the awareness of racial/ethnic profiling among the general public and opinion makers (cf. Arena idé, 2014). The government's proposal that the police should be able to carry out raids on workplaces in search of undocumented individuals, without suspicion of a

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criminal offence, has been criticised by 43 researchers as legitimising racial/ethnic profiling (Lind, et al., 2016). The legal space that currently regulates what constitutes reasonable suspicion, which the police still needs in order

to intervene, is also described as unclear. This means that a gut feeling is often allowed to rule – an arbitrariness that has consequences for the level of legal certainty (Andersson, 2016).

The most comprehensive scientific study in which the relationship between racial/ethnic profiling and border controls is discussed is the thesis *Inre utlänningskontroll i polisarbetet – mellan rättsstatsideal och effektivitet i Schengens Sverige* ("Internal immigration control in policing: between the rule of law ideal and efficiency in Schengen Sweden") (Hydén & Lundberg, 2004).

The research is based on participant observation and interviews with police officers. In this study, profiling is described as a necessary tool in the search for people who are not considered to have a right to reside in Sweden. The police officers who were interviewed refer to fine-tuned senses and intuition, claiming that people are stopped because they look "dodgy" or "don't fit". It is an issue of race/ethnicity: "Obviously you check those who don't look Swedish." Here, profiling is described as something automated and more or less unconscious (cf. Hydén, 2006). Another three theses are central in this context. One is *Etnifierade polispraktiker. Hur etnicitet görs i polisens vardag* ("Ethnicised police practices: how ethnicity is constructed in everyday police work") (Görtz, 2015). In this study, race/ethnicity is understood as an ever-present category in police work. Despite this, it presents the argument that it should not be linked to issues of racism, xenophobia, discrimination, or profiling, since it is essentially something trivial and innocuous. With regard to Roma, however, Görtz acknowledges that there is a widespread conception among police officers of this group as criminal. The second thesis is Rolf Granér's *Patrullerande polisens yrkeskultur* ("Occupational culture among the patrolling police") (2004). He examines the presence of a stereotypical police gaze, in which immigrants are linked to crime. The study also discusses how police officers explain accusations of racism:

*Generally, in my study police officers were sensitive to having racist motives ascribed to them. It was recurrently claimed that there were individual racist police officers who used their position of power to give vent to*

*a prejudice in the same way that there were police officers who gave vent to sadistic needs through a disproportionate use of force. (...) When people from immigrant groups were suspected, checked, and arrested to a disproportionate degree, this was instead justified with the claim that they were considered overrepresented in relation to crimes committed (Granér, 2004: 259-260).*

In parallel with this understanding of racism as a consequence of individual bad apples, and the profiling of specific groups as an effective method of law enforcement, the thesis documents a general derogatory police jargon aimed at ethnic minorities and racialised groups. Issues of racism are also discussed by Malin Wieslander in the thesis *Ordningsmakten inom ordningsmakten* ("Policing within the police force") (2014). She examines attitudes towards diversity among prospective police officers and shows that an intolerance of racism can exist in parallel with exclusionary practices that establish an imagined Swedish "us" and a "them" to which criminality is attributed. The police thus maintains boundaries between the official Sweden on the one hand and ethnic minorities and racialised groups on the other, which creates a hindrance to social cohesion (cf. Sernhede, 2006; Molina, 2006).

A report from the Swedish National Council for Crime Prevention notes that there are stereotypes within the judiciary about Roma, Muslims, and Afro-Swedes (Martens, Shannon & Törnqvist, 2008: 9). The study shows that racial/ethnic profiling is not only a consequence of generalised conceptions and informal practices among representatives of the judiciary, but may also be the result of government directives.

*One such example is how the Stockholm police authority identified people from a particular African country as bearing special responsibility for heroin trafficking in Stockholm in a report. On the basis of this general picture, a recommendation was issued that each police district should inform their local police of the people from that African country who lived in the local police district (Martens, Shannon & Törnqvist, 2008: 30).*

According to studies about Afro-Swedes, young men in particular are affected by racial/ethnic profiling. In qualitative studies, informants speak of spontaneous police interrogations, routine body searches, and vehicle checks (Mångkulturellt centrum, 2014: 80; Kalonaityté, Kawesa & Tedros, 2007: 25). Similar experiences are documented in the anthology *Den sorterande ordningsmakten: studier av etnicitet och polisiär kontroll* ("The sorting police: studies of ethnicity and police control") (Peterson & Åkerström, 2013), which notes that it is mainly young men living in marginalised neighbourhoods that are at risk of racial/ethnic profiling. In one of the chapters, the interviewed police officers

describe a tendency to check people from the suburbs who drive specific cars, because their appearance is indicative of organised crime (Östlund, 2013). The danger of these notions is perhaps at its most evident in relation to the racist serial killer Peter Mangs. For nearly a decade, he managed to escape the attention of the Malmö police, as the groups he attacked were believed to be both perpetrators and victims of organised crime (Gardell, 2016; Masri, 2017).

In the quantitative research, three contributions stand out in a Swedish context. One of them is *Polisingripanden vid eget bruk av narkotika: särbehandlas personer med utländsk bakgrund?* ("Police interventions in the personal use of narcotics: are persons of foreign origin treated differently?") (Pettersson, 2005). It examines all the recorded cases in which the police suspected people of personal use of narcotics in the City of Stockholm in 2000. The rate of accuracy when people with a Swedish background over the age of 30 are frisked is 67 per cent. The rate of accuracy for people of non-European origin in the same age group amounts to 24 per cent. In efforts to combat the personal use of narcotics, the police thus intervenes on looser grounds against persons of the latter category.

The government investigation *Är rättvisan rättvis? Tio perspektiv på diskriminering av etniska och religiösa minoriteter inom rättsystemet* ("Is justice fair? Ten perspectives on discrimination against ethnic and religious minorities within the legal system") (SOU 2006: 30) is also of relevance. It notes that individuals of foreign origin are discriminated against in all of the links in the legal chain, in particular in relation to the police. In one

of the studies, the police's register of suspects is read against judgments from the District Court. It becomes evident that preliminary investigations involving people born in Africa or the Middle East, including Turkey, are closed down in 50 to 52 per cent of cases. Most rare to be closed down are investigations against people of Swedish or Nordic origin: only 35 to 37 per cent of cases. The statistics can be interpreted in different ways, but one credible explanation is that the police does not perform investigations as thoroughly when ethnic minorities and racialised groups are suspected of crimes.

One further study offers more recent figures. The European Union's Minorities and Discrimination Survey (EU-MIDIS, 2017), in which the situation for Muslims in 15 member states has been examined, shows that 29 per cent of the 10,527 participants have been stopped by the police during the last five years. Nine per cent claimed that the reason was their immigrant background or ethnic affiliation, which, in the context of the study, is understood as profiling. 543 people from Sweden participated. Of those who were stopped by the police in the last five years, 27 per cent link the most recent check to racial/ethnic profiling. In general, it appears that black Muslims are exposed to the phenomenon to a greater extent than others.

In summary, the research on racial/ethnic profiling in Sweden is scant, both from a qualitative and a quantitative perspective. Virtually all of the studies referred to herein do not have racial/ethnic profiling as their main focus. Moreover, several of them are over a decade old and based on even more dated empirical material.

## 4. HOW CAN RACIAL/ETHNIC PROFILING BE UNDERSTOOD?

Why are ethnic minorities and racialised groups subjected to control and surveillance to a greater extent than others? Although existing research is relatively consistent on the police's tendency to direct its searchlight at certain groups, there is theoretical disagreement on why this happens. The main dividing line runs between a consensus perspective and a conflict perspective.

*Some propose that police attention is legitimately triggered by the criminal behaviour of marginalized people, while others maintain that these individuals are subject to biased policing triggered by their marginalized status. Theoretically, this represents a disagreement over whether consensus or conflict perspectives are best suited for explaining the disproportionate use of stop-and-search procedures with marginalized people (Hayle, Wortley & Tanner, 2016: 323).*

Attempts to understand racial/ethnic profiling can thus be sorted into two separate theoretical traditions. One

emphasises the criminality of ethnic minorities and racialised groups. The other focuses on their status as marginalised, that is, how society is socially and economically stratified along categories of race/ethnicity.

The consensus perspective is sometimes described as a functionalist perspective. The starting point is that ethnic minorities and racialised groups should be stopped and checked by the police to a greater extent than others for the optimisation of crime prevention efforts. The need to check Muslims in particular as part of counterterrorism efforts is highlighted as an example. Research that favours the consensus perspective also stresses that the police

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should focus its resources on so-called hot spots – places where, statistically, more crimes are committed. The fact that these areas are populated by ethnic minorities and racialised groups cannot be taken into account. The fact that certain groups are subjected to disproportionate controls is not a sign of discriminatory practices, but the effect of the authority's efforts to manage its resources effectively. If the police did not focus its efforts on the places where statistics indicate that the most crimes are committed and that are experienced as the least safe, it would not be doing its job. The way some groups are affected is an inevitable casualty in police work (cf. Meehan & Ponder, 2002; Roh & Robinson, 2009; Renauer, 2012).

*In the hierarchy of immoral acts, isn't it preferable to harm (or some would say inconvenience) a few if it would save the lives of many? In other words, this debate about rights and wrongs quickly becomes a debate about moral consequentialism (Etienne, 2010: 1535–1536).*

The perception of crime as a relatively objective issue is crucial to the consensus perspective. It is, quite simply, a question of developing effective and sustainable methods to fight crime. The police is understood as an authority that, based on good intentions, upholds law and order for all members of society. If the authority's mode of operation leads to a crisis of legitimacy, the challenge is to fix this. Studies emphasise how crucial the interaction during the intervention is to how the police is perceived (cf. Heuman & Cassak, 2003; Schulhofer, Tyler, & Huq, 2011). If discrimination and prejudice prevail, the solution is to work towards broader representation, so that the police force better reflects the diversity of society (cf. Barlow & Barlow, 2002; Wilkins & Williams, 2008).

In sharp contrast to the consensus perspective, researchers subscribing to a conflict perspective argue that the very definition of crime legitimises some groups being stopped by the police to a greater extent than others. The argument goes that there is a direct relationship between knowledge, power, and the historical continuity through which ethnic minorities and racialised groups are constructed as threatening elements against which society must be defended (cf. Bonikowski, 2004; Welch, 2007; Amar, 2009).

The basic task here is to examine the relationship between police activity and structural discrimination as part of the workings of society (cf. SOU 2005: 69). In the US,

researchers historicise racial/ethnic profiling by pointing to the police's hunt for escaped black slaves and the internment of people of Japanese origin during World War II. In Europe, Roma are highlighted as a group

**Which groups end up being targeted by the police's searchlight changes over time and depending on location. But what unites the victims is their belonging to an ethnic minority or racialised group.**

that has never been embraced by society, whose history is marked by government-sanctioned racism with elements of profiling. Which groups end up being targeted by the police's searchlight changes over time and depending on location. But what unites the victims is their belonging to an ethnic minority or racialised group (cf. Covington, 2001; Bahdi, 2003; Colacicchi, 2008; Nagra & Maurutto, 2016). The US's suspicion of blacks and people of Latin-American origin in the context of the war on drugs, as well as the criminalisation of Muslims in the aftermath of the September 11 terror attacks in 2001, must be understood in this context. In the same way, refugees are not being hunted for crimes they have committed, but because their very existence challenges the boundaries of the nation state. Here, racial/ethnic profiling is interpreted in relation to political developments (cf. van der Leun & van der Woude, 2011; Fassin, 2013: 218).

From a conflict perspective, the argument goes that we live in a society that maintains differences along the categories of race/ethnicity. Even though criminal policy in neo-liberal societies is presented as colour-blind, reality reveals its foundation and ideology. The police is an institution with a mission to defend the nation state's borders as well as the unequal power relations that stratify its inhabitants (cf. Keith, 1993; Durán, 2009; Alexander, 2012). One consequence of this is the criminalisation of certain subgroups. This may, for example, be manifested in the militarisation of specific areas, human rights abuses, and microaggressions – that is, discrimination and subtle everyday violence. The boundaries between “us” and “them” that are established and the practices of resistance that develop become relevant here (cf. Milovannovic & Rusell, 2001; Sernhede, 2006; Molina, 2006; Glover, 2009).

The police's disproportionate focus on ethnic minorities and racialised groups also comes at the expense of diminished resources aimed at the rich and powerful, whose crimes in many cases are more harmful to society. Thus, law enforcement strategies that focus on hotspots are not neutral, but the result of a political order in which marginalised people are viewed as potential criminals. The shift from the actions of the individual weighed down by crime to her crime-generating surroundings legitimises the suspicion of certain people in advance, while control and surveillance of ethnic minorities and racialised groups are presented as necessary. Efforts of law enforcement that focus on offences among these groups also risk becoming self-fulfilling, as stigmatisation pushes people to become more prone to commit crimes (cf. Chambliss, 1994; Rusell, 1998; Goody, 2006).

It is important to note that studies of racial/ethnic profiling that assume either a consensus or a conflict perspective need not stand in opposition to each other. Depending on the frame of interpretation, the profiling of Muslims can be understood as inefficient or as

Islamophobic. The profiling of Roma can be understood as a result of technical defects in crime statistics or as an effect of stereotypes and antiziganism. When the police focuses its efforts on specific areas where mainly blacks live, this can be understood as a necessary evil or as a practice that leads to Afrophobia and structural discrimination (cf. Baas, 2001; Ramirez, Hoopes & Quinlan, 2003; Gounev & Bezlov, 2006; Lynch et.al., 2013; Mångkulturellt centrum, 2014).

Research into racial/ethnic profiling may also be either theoretical or empirical. There is, for example, a long tradition of research into how and why a stereotypical

*In addition to race/ethnicity, [the markers] also relate to sex, age, clothing, behaviour, and appearance. This shapes the police's idea of how a criminal person looks and behaves.*

police gaze is developed (cf. Livstad, 2000; Holmberg, 2003). In a classic study, based on nine months' observation of how patrol officers stop and check young people in the US, Irving Piliavin and

Scott Briar (1967) describe the markers that make the police react when interacting with people on the street.

In addition to race/ethnicity, these also relate to sex, age, clothing, behaviour, and appearance. This shapes the police's idea of how a criminal person looks and behaves. Black men using hair wax, wearing a dark leather jacket and jeans arouse suspicion. If, on top of this, the person is also perceived as displaying a disrespect for law enforcement, the risk of being stopped increases.

Although one could draw conclusions based on the material that subscribe to the conflict tradition, Piliavin and Briar's study comes to rest in a consensus perspective. They argue that a stereotypical police gaze is not a symptom of structural discrimination, racism, or even bad apples within the force. Despite the fact that 18 out of the 27 police officers who were interviewed openly express a dislike for blacks, the authors propose that this should be considered within the context of their experiences in the field. The police is simply focusing on people who they believe are the most likely to commit a criminal offence. At the intersection of the empirical material and the way it is theorised, the basic assumptions appear on which the dividing line between a consensus perspective and a conflict perspective rests.

## 5. HOW HAS THE STUDY BEEN CARRIED OUT?

The study has been prepared on behalf of Civil Rights Defenders, who designed its framework together with a reference group. The reference group consists of people who are firmly anchored in marginalised residential areas of big cities, but also in organisations that bring together Roma, Muslims, and Afro-Swedes. The study takes as its starting point the reference group's analyses and contact networks. It subscribes to the epistemological perception that research pertaining to ethnic minorities and racialised groups must be carried out in a way that does not stigmatise or exploit their experiences once again (Blumer & Solomos, 2004).

The survey was designed along two parallel lines. These are based on different premises, due to the fact that interviews were carried out with police officers on the one hand and with persons affected by racial/ethnic profiling on the other. With regards to the latter category, the reference group has acted as gatekeepers (Dalen, 2008: 37). They have been central in the contact with people with personal experience of being stopped and checked by the police. The informants have thus been selected on the assumption that they can contribute important perspectives to the study. There has thus been a form of strategic selection (Bolton, 2011: 97).

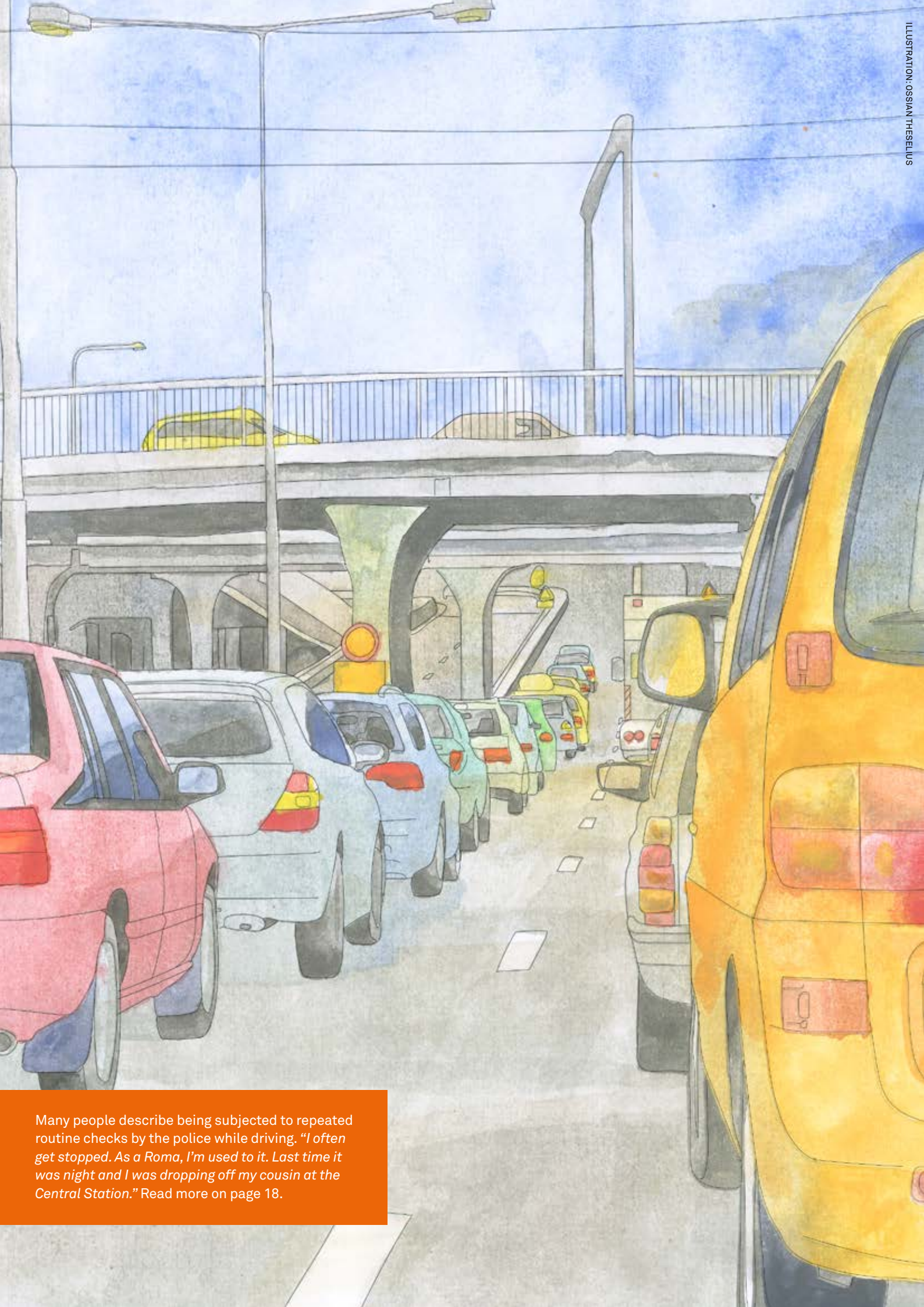
In a first step, five focus group interviews were carried out with a total of 28 people. The strength of the focus group is that it encourages active participation, as the informants answer questions but may also turn to the

interviewer and each other with thoughts, reservations, and their own analyses (Wibeck, 2010). Within the qualitative tradition, the term "saturation" is used to identify the point at which sufficient material has been collected, that is, when no more themes appear in the interviews. By means of this criterion, the focus group discussions were supplemented with eight individual interviews in a second stage. The aim was to deepen the knowledge about experiences that

*An emphasis on personal experience permeates the interviews, as the aim is to limit hearsay, the influence of news reporting, and second-hand experiences.*

had been described as important in the focus groups, but which had been touched upon to a limited extent and mainly through reference to what others had been subjected to. An emphasis on personal experience permeates the interviews, as the aim is to limit hearsay, the influence of news reporting, and second-hand experiences.

The composition of the focus groups varies. In two of them, the composition is based on participants who grew up in marginalised neighbourhoods. In the others, the common factors are race/ethnicity and religion respectively, that is, the informants identified as Afro-Swedes, Muslims, or Roma. The idea behind this selection strategy is to gain access to different experiences of profiling among ethnic minorities and racialised groups. However, the aim is not that the outcome of the study



Many people describe being subjected to repeated routine checks by the police while driving. *"I often get stopped. As a Roma, I'm used to it. Last time it was night and I was dropping off my cousin at the Central Station."* Read more on page 18.

should be generalisable to all individuals who belong to an ethnic minority or racialised group. The fact that interviews were only carried out in Stockholm, Gothenburg, and Malmö is a reminder of the blind spots of the selection strategy. A majority of those interviewed were men, which must also be assumed to have affected the material, as must the fact that a majority of participants may be classified as young adults. For ethical reasons, no minors were interviewed. It could also have been relevant to focus specifically on other ethnic minorities and racialised groups, such as Sami, Sweden Finns, Jews, Latinos, Eastern Europeans, and East Asians. Neither does the study focus on specific experiences of profiling among persons identifying as LGBT.

A sensitivity to the range of experiences that people from different groups may carry is an important starting point for the coding and analysis of the empirical data. Based on an understanding of racial/ethnic profiling as a complex issue, the study draws on the informants' descriptions of race/ethnicity as a deciding factor in interactions with the police. At the same time as the report seeks to register that which unites the informants' experiences, differences between their interactions with the police are also significant. The aim is to capture the spectrum of experiences that form racial/ethnic profiling and its consequences.

Seven representatives from the police force have been interviewed. Four of them hold decision-making positions, three work in the field. In the first stage of the selection, officers were identified who had spoken out in the media or participated in public events where racial/ethnic profiling and similar topics were discussed. In addition to this pragmatic selection strategy, the project has been anchored with the senior management of the police, which has paved the way for further interviews. However, several of the police officers who were approached declined to participate. A chief of police in southern Sweden, who had appeared in the media in connection with the Roma register, explains in an email that the issue no longer falls "within my sphere of responsibility". Via its press officer, the Swedish Security

Service replies that it considers it risky to reply to the questions raised in the report, as it might "interfere with our own operational activities". A potential cause of the loss of informants is the questioning of the study's relevance among police officers. This attitude becomes evident in the interviews that were carried out. These conversations may be described as confrontational, in the sense that the informants challenge the premise of the report (cf. Kvale & Brinkman, 2009: 174; 254). They begin with open-ended questions and progress in a frictionless, conversational tone, but all informants occasionally position themselves in such a way that fissures are revealed.

In the analysis, the police officers' statements have been quoted in such a way that the most salient arguments are made clear. Some of them are in opposition to each other, while others rest on a common premise. The starting point is an attempt to make sense of experiences of racial/ethnic profiling based on the logic of the police. The basis of the interpretation is thus the police officers' understanding of their own work, which is set against experiences of racial/ethnic profiling. The analysis is guided by a principle of generosity, a desire to provide as comprehensive a picture as possible of dominant reasonings (cf. Beckman, 2005: 79).

Although various selection methods, interview strategies, and tools of analysis form the basis of the report, its starting point is to investigate racial/ethnic profiling based on statements from informants. Its descriptive approach is crucial. The goal is not to evaluate experiences or arguments, but to create understanding by describing and clarifying patterns (cf. Aspers, 2011: 37). In the processing of statements from police officers, the reasoning is boiled down to key arguments. In the analysis of statements from ethnic minorities and racialised groups, recurring accounts are instead combined in order to capture experiences of profiling and its consequences.

*The goal is not to evaluate experiences or arguments, but to create understanding by describing and clarifying patterns.*

## 6. EXPERIENCES OF RACIAL/ETHNIC PROFILING

### **Between questions and answers:**

#### **“It can’t be a coincidence”**

In interviews with ethnic minorities and racialised groups, it becomes clear that police checks are a regular part of many people’s everyday lives. The informants link this to their appearance, background, and other factors that fall within the category of race/ethnicity. The police has far-reaching powers to act if they suspect that a crime has or will be committed. At the same time, the applicable section of the law allows individual judgement to be crucial in determining how, when, and against whom coercive measures are used (cf. Andersson, 2016). The informants point out that police officers’ gut feeling, which may also be described as a stereotypical gaze (cf. Holmberg 1999; Finstad 2000; Granér 2004), regularly causes them to become suspects.

*You know, you’re hanging out with the boys down by the shops. And they might stop you four times in one night. You’re standing here [points], then you get stopped. Pushed up against the wall for everyone to see. Then you walk over towards the school – and you get stopped again. We head on [toward a different location in the area] and then we’re stopped again. You know, we feel persecuted.*

*In the past year, I’ve travelled five times to Brussels via Bromma. I get stopped every time. And have to go into a separate room for them to check my hijab. Every time. Five times! It can’t be a coincidence.*

*A month and a half ago, it happened three times. “Why do you drive this kind of car?” I drove a Saab. I go: “You know, they’re kind of comfortable. Are you looking for anything in particular?” “Yes, two guys.” I go: “As you can see, I’m alone here in the car.” “Right, but can I see your ID?” I go: “Okay, okay,” without making a fuss. I was in a rush. “Have you seen a similar car in the area?” I go: “No, no idea.” “Go ahead. You may drive.” I drive off, get to the traffic lights. That’s when a police car comes from the opposite direction. Damn it, not again, I thought. They ask me to jump out of the car, my hands on the roof. That’s extreme compared to the first one. They really think it’s me. So they check me. And I try to explain, but he goes: “You’ll shut the fuck up.” Then the other colleague comes over, playing good cop: “Where are you going?” I go: “I’m on my way to the garage.” Then they say that my car is wanted. I go: “I don’t think so, your colleague just stopped me.” Then they saw it was wrong. But to mess with me, they tell me to get in the car. Five minutes, ten minutes. I open the door, they go: “Shut the door.” Then they walk over, throw my ID at me, and drive off. So I think: “What the fuck, maybe they’ve gotten hold of the other car.” I drive straight towards Jägersro. I reach the roundabout, head right. That’s where my garage is. Then it happens again. As soon as they stop*

*me, I say: “What the hell do you want? You’ve already searched me!” That’s when she goes [signals that the police gets a call]: “Yeah, yeah we’re coming now.” I always keep calm. But not this time. Sometimes you need to step it up. Show a little more. But in most cases one should stay quiet. Because if you mess with them, it gets twice as bad. Let them do their job. I know I’m clean. But it’s pure racism, because I look like I do.*

The quotations offer an insight into how racial/ethnic profiling is experienced by the informants. What unites the different situations is the everyday context. Checks are carried out when “you’re hanging out with the boys down by the shops”, in connection with air travel or car rides to the garage. These events are not spectacular. Even though police brutality and racist abuse do occur, these are mainly routine checks. That is why the report takes these everyday experiences as its starting point (cf. Kalonaityté, Kawesa & Tedros, 2007; Mångkulturellt centrum, 2014). Another fundamental aspect is the informants’ descriptions of the repetitive nature of racial/ethnic profiling. One person describes three stops in a day, another four in an evening, and yet another recounts five. Each individual event must be interpreted in light of the accumulated experience of the informants.

*We make a turn here in the roundabout in Alby. That’s when we see the police van parked. I say to the guys: “They’ll go after us, I swear.” There’s not even time for us to drive off. We head into the roundabout and: bam. They drive up, blue lights. They stop us, make us step out, frisk us. We came from Södertälje, had just been taking it easy. Yeah, they just wanted to provoke us.*

“They’ll go after us, I swear.” The key to the scene is in this prophetic statement. This is not the first time that the informant has been stopped. His previous experiences give him a premonition of what is to come, which is then fulfilled. There are clear parallels to experiences of racial/ethnic profiling in the US, as captured by the terminology “driving while black” and “driving while brown”. The expansion of the conceptual apparatus is also relevant in a Swedish context. For example, people speak of “walking/driving/

**There are clear parallels to experiences of racial/ethnic profiling in the US, as captured by the terminology “driving while black” and “driving while brown”.**

where ethnic minorities and racialised groups are likely to be profiled. But why do the informants feel like issues of race/ethnicity are brought to the fore in the context of police checks? Why are situations interpreted as “pure racism”, as part of a pattern with the consequence that



“we feel persecuted”? Could what has occurred be a “coincidence” and not a means to “just (...) provoke”? Even situations in which the informants are not stopped by the police are part of the bank of experiences that proves the thesis of disproportionate suspicion.

*I don't know what kind of radar they have. But they're trained to detect things in a way we're not. As soon as you round a bend, they have an eye on you. Just a few days ago, I was about to pick up another Finnish Roma woman. The police sees her get into my car. Then they turn around and start driving. They drive behind us for a while, for precisely the amount of time it takes to check the car. Then they veer off.*

Sometimes it is difficult, even impossible, to know whether race/ethnicity is a crucial factor in police checks. In this case, the informant is not stopped. Yet, she perceives them to “drive behind us for a while, for precisely the amount of time it takes to check the car”. The informant’s story is only comprehensible on the basis of an understanding of profiling as systematic. The quotation illustrates the gut feeling that ethnic minorities and racialised groups develop in response to a society in which the police has “an eye on you”. If a look is difficult to use as evidence, questions are more telling.

*They were here at the subway every morning, for like a week. It was some refugee thing. The problem: the whole of Alby look like refugees. Every single one. So when you were about to walk through the barriers, they asked: “Do you speak Swedish?”*

That everyone “look[s] like refugees” is a problem when the police conducts internal immigration controls in some areas. Through the question “Do you speak Swedish?”, a relationship is established between appearance, language, and the right to reside in Sweden. The borders of the nation state move into a residential area. Two categories are established, a Swedish “us” and a criminalised “them” (cf. Hydén & Lundberg, 2004; Durán, 2009). Sometimes, the informants themselves need to ask questions of the police.

*The last time I got stopped was when we were going to drive across the [Öresunds] bridge. Everyone else drove past. But we were stopped. My husband has a beard. He looks like he's from the Middle East. That must be it, we thought. So I asked the police woman: “Why our car?” She said it was a random check. But we thought that was really weird..*

The informant moves between wondering and providing answers herself. The question for the inspector may be interpreted as rhetorical: “Why our car?” The answer is in the man’s appearance: “He looks like he’s from the Middle East.” At the same time, there is space for

other explanations: “She said it was a random check.” There is thus an ongoing negotiation of the experience. The informant can interpret the situation as her being randomly selected, or as an instance of racial/ethnic profiling.

### **Between humiliation and resistance: “It’s to degrade you”**

The informants describe various kinds of interactions with the police. The experiences above revolve around everyday and routine interactions. These can be interpreted as microaggressions, the manifestation of discrimination and subtle violence in everyday life (cf. Milovannovic & Rusell, 2001; Alexander, 2012). At the same time, there are also examples of physical violence and racist abuse:

*I had just arrived at the festival. Someone grabs me from behind. I didn't understand at first. It turned out to be a plainclothes police officer. They were looking for someone, I don't know exactly. (...) But when someone grabs you, you react [illustrates a movement with their body]. He thought I was putting up resistance. Threw me on the ground. Put his knee on my back, I cried out. He called me the n-word. That hurt most of all.*

Even though the interviews are not dominated by this type of experience, they do occur. The informant’s description of what “hurts most of all” is crucial. It is not about someone putting their knee on your back. Instead, the pain is associated with being degraded as an Afro-Swede by the use of the “n-word”.<sup>7</sup> The traumatising consequences of profiling are illustrated by several informants returning to events from their childhood.

## **7) WHEN THE POLICE COMMITS A CRIME**

Anyone who becomes the victim of a crime committed by a police officer can turn to the police authority to report it. These cases are subsequently handled by the police authority’s special investigator. It is also possible to report the incident to the supervisory bodies responsible for monitoring the police. The three most important are the Parliamentary Ombudsman (JO), the Chancellor of Justice (JK), and the Commission on Security and Integrity Protection. The Equality Ombudsman (DO) can investigate complaints from individuals and even represent people in court. Regarding police activities, however, certain limitations exist: the Discrimination Act regulates police officers’ contact with the public, that is, the performance and attitude of employees. Though it does not stretch to police officers’ interpretation and application of regulations, assessments, or measures. For instance, this meant that the DO could not challenge the so-called Roma register in court. Instead, the police authority in Skåne was recommended to “investigate to what extent so-called ethnic profiling is applied as a working method and, if necessary, take the required measures” itself (The Equality Ombudsman, 2014). Therefore, Civil Rights Defenders later brought an action against the State (see p. 6).

*There is something in the humiliation stored by the human body. I don't know exactly what happened. But it was the first time I was stopped by the police. I was maybe 10 years old. A cop walks up and says: "Hey, we know who you are. We have our eyes on you. If you fuck up, we'll get you." I was ten, twelve years old. Those kinds of experiences are really traumatic. A lot of shit like that has stayed in my body.*

In addition to highlighting traces left by early experiences, the quotation captures the way encounters with the police may have physical consequences over time: "There is something in the humiliation stored by the human body." The informant describes a state of exception in which the rule of law is rendered void from an early age: "If you fuck up, we'll get you." It may be assumed that the police officer did not literally say this. But the incident has been internalised by the informant as a manifestation of a fear of violence. Another recurring description is the feeling of shame during police checks.

*I always feel ashamed if someone in my family sees me getting stopped. With my dad it's the case that, regardless of whether I did right or wrong, if he sees me getting stopped by the police, I'm fucked. The police is never wrong in his eyes. That's what I'm afraid of. That my parents will see me. Or mum's friend, my sister who might be on the bus. Because they always stop you out in the open. And it's to degrade you.*

The consequence of the practice of stopping people "out in the open" is that police checks and social control meld together. The informant perceives the public humiliation as deliberate. Rather than preventing crime or creating a safe environment, the police engineers a situation in order to "degrade" him. The choice of words relates to the idea of the equality of all human beings. Equality before the law does not apply to him, he is routinely made into a suspect, "regardless of whether I did right or wrong". In this way, the informant is isolated from society (cf. Sernhede, 2006; Molina 2006). The police is thereby guilty of a breach of the principles of the rule of law.

*I had a bag with me. I'd been to my aunt's place in Alby and was on my way to Skanstull. I was stressed and jogged to the subway. At the barriers, there are plain-clothes officers: "Where are you going?" "What do you have in the bag?" "Who are you seeing?" They refuse to let me through until they've checked my bag. I have to take my shoes off. People walk past, my aunt's friends. "What did he do? Is he a terrorist?" (...) When they let me go, I was offered no explanation.*

What distinguishes this situation from other experiences of profiling associated with internal immigration controls is that the informant is forced to take off his shoes and have his bag searched. He cannot determine why he is

being stopped: "When they let me go, I was offered no explanation." What this story shares with the preceding one is that looks from others are experienced as a form of public shaming: "What did he do? Is he a terrorist?" The informant describes the stigma that can follow from racial/ethnic profiling.

Being subjected to racial/ethnic profiling does not necessarily lead to inaction. Several informants emphasise their own agency at police checks. They talk about attitudes and strategies of resistance that are prior to encounters with the police (cf. Harris, 1997; Glover, 2009). For example, informants describe how text messaging and social media are used to disseminate information about where the police is conducting internal immigration controls. Sometimes, they film the police when they witness questionable interventions.<sup>8</sup> Others simply choose to avoid certain sites to avoid profiling.

#### 8) FILMING THE POLICE?

The right to film in a public place is protected under the right to freedom of expression and is in essence unrestricted. This also applies to situations in which police officers or other public servants are being recorded. However, the police can ask people to back off and stop filming if it interferes with their work. Section 13 of the Police Act allows the police to remove people if they are disturbing public order. The right to film in a public place is also limited by the protection of the individual's privacy in the Penal Code. Being overly intrusive may for example be regarded as harassment.

*When I see the police, I take a detour. You don't want to run into them, you kind of run in the opposite direction. Avoiding them, instead of feeling: "Oh, there's the police, that feels safe, I can walk here."*

In addition to proactive strategies, informants describe how they behave reactively in certain situations.

*I'm often stopped. As a Roma, I'm used to it. Last time it was night and I was dropping off my cousin at the Central Station. He was going home to Germany. Point A on my trip was the station and point B was my home in Bergsjön. After saying goodbye to my cousin I get in the car. I see the police, they look at me. And they're really looking as if I was suspected of something. When I drive off, I see that they're following me. They accompany me all the way to Bergsjön. To my parking space, which I rent and pay for. So I step out. When I'm stopped or subjected to something uncomfortable, I sometimes respond by messing with them right back. Because I know I haven't done anything. So I step out of the car. Open the trunk, pretend I'm cleaning up. As if I'm trying to stow something away.*

The informant's way of handling the situation must be understood in light of accumulated experience. When he is subjected to something he perceives as wrongful, he responds "by messing with them right back". Here, he is trying to simulate having done something illegal, despite or perhaps because of the fact that he is innocent. From the perspective of the police, this is likely to be perceived as a provocation that complicates their work. For the informant, however, it is an act of resistance, a response to the feeling of humiliation (cf. Milovannovic & Rusell, 2001; Glover, 2009). The informant links the police check to how, as a Roma, he is the subject of police interest, regardless of whether he "rent[s] and pay[s] for" his parking space. The fact that he stresses this detail may be interpreted as a claim to be recognised as a rights-

**Even though the informants speak of strategies of resistance, they also describe the limits to how much you can "mess" with the police force.**

bearing subject, at least in his capacity as a consumer.

Even though the informants speak of strategies of resistance, they also describe the limits to how much you can "mess" with the police

force. This is made clear not least in a focus group interview with Swedish Muslims, who describe recurring airport checks (cf. Kumlin, 2014; Bursell, 2016).

*Man 1: I've always wanted to try something, but I don't dare to. At the airport when they ask: "Where are you going?" At some point I would like to say: "To Syria."*

*Woman 1: I mean, why make your life more complicated?*

*Man 1: No, but honestly. There's limited space. We don't have the privilege of joking about anything.*

*Woman 1: True. We can't joke about anything. We can't say anything.*

*Woman 2: That's not the place for a joke. They can do anything with you. Say you're on your way to Syria and you end up in Guantánamo straight away. [Laughter]*

*Man 1: Yeah, they can justify anything. That's the whole point.*

*Woman 1: What you can do is to ask critical questions: "Do you often stop Muslims?" "How do you reconcile that with your values?"*

The dialogue captures the relationship between power and resistance, but also how resistance underscores a certain vulnerability. The consequence of a joke might be ending up in Guantánamo, a place where human rights are rendered void. The laughter leaves a bitter aftertaste; the risks are perceived as too big. In light of this, one has to settle for, at most, asking critical questions: "Do you often stop Muslims?" At the same time, the conversation captures the way relations of dominance are stripped down and ridiculed. Through the exchange of experiences and naming of situations, individual vulnerability is transformed into collective experience.

### **Between criminalisation and crime: "We need the police."**

Social unrest in marginalised neighbourhoods is often linked to police practices (cf. Keith, 1993; Dikec, 2007; de los Reyes et al., 2014). In order to understand the role of the police as the spark that ignites the flame, it is important to take note of the informants' experiences of being treated as criminals without cause. Many describe situations in which the presence of the police is seen as the opposite of a guarantor of law and order. The material records a range of emotions and physical reactions linked to this.

*Frustration, hatred, annoyance, humiliation, oppression. Having been subjected to discrimination. Those are the emotions I feel every time I'm stopped. (...) You're supposed to feel calm and safe. But as soon as you see a police officer you think something's going to happen. Even if you're innocent, haven't done anything, you feel afraid, stressed. The adrenaline kicks in.*

The informant understands racial/ethnic profiling in light of situations in which he is "innocent, [has]n't done anything". At the same time, the perception of the police is also shaped by other types of events.

*They've grabbed me and he knows that I've smoked. He looks me straight in the face and starts to laugh. I mean, my life is destroyed right there. And he's laughing at me. I'll never forget the way he looks at me. It only means one thing: He sees me as dirt. I'm not worth as much as a Swede.*

Experiences of racial/ethnic profiling and its consequences can thus be analysed not only on the basis of situations in which the person being checked is innocent before the law. In the example above, the informant is caught having smoked an illegal substance. However, the lasting impression is that he is seen "as dirt", as worth less than "a Swede". What he picks up on in the police officer's actions is the subtle, but clear, dehumanisation in a look and a laugh: "I'll never forget the way he looks at me." The feeling recurs in other examples in which the police has acted according to the law, but in which their legitimacy is still questioned as a result of the interaction. This confirms that the attitude of the police is critical to how checks are experienced (cf. Schulhofer, Tyler, & Huq, 2011). It is also a reminder that racial/ethnic profiling can occur in situations where the police has the support of the law (cf. Chambiliss, 1994; Goody 2006).

The issue of racial/ethnic profiling is often brought to the fore at border controls, such as in airports. *"In the past year, I've travelled five times to Brussels via Bromma. I get stopped every time. And have to go into a separate room for them to check my hijab. Every time. Five times! It can't be a coincidence."* Read more on page 16.



Woman: They had imposed a driving ban on Norra Grängesbergsgatan. The day it came into effect, it was pouring down. I'd just returned home from abroad, so I didn't know. I was stopped by such a lousy, mean cop. (...) I was treated like a criminal. But I'd made an innocent mistake. I was prepared to pay a fine. But you know, she treated me so badly, she could have explained: "This is a routine check blah blah blah." (...)

Man: Did you get a fine for driving there?

Woman: Because there was a driving ban.

Man: I mean, sometimes it's justified. You had committed a crime. You're saying: "Yes, but she could have handled it differently." But they must stick to the rules.

"Did you get a fine for driving there?" The question, and the defence of the police's actions, are formulated based on an idea of how police work should be carried out. The situation is thus interpreted against a sense of justice. The underlying ideal is the principle of equality

before the law and the requirement that persons in authority be impartial, regardless of background and appearance.<sup>9</sup> Why, then, is the scene on Norra Grängesbergsgatan nevertheless interpreted

**Rather than the police check and the subsequent penalty, it is the fact that it was performed by a "mean cop" who did not explain that it was "a routine check" that is the problem.**

as a manifestation of racial/ethnic profiling? The informant has no objection to the penalty itself: "I was prepared to pay a fine." It is her reception that she perceives as problematic: "I was treated like a criminal." The informant puts her finger on how the interaction with the police is crucial in experiences of racial/ethnic profiling. Rather than the police check and the subsequent penalty, it is the fact that it was performed by a "mean cop" who did not explain that it was "a routine check" that is the problem. The informant wants to be regarded as someone who unknowingly committed a minor traffic violation, not that as a person with criminal intent. Had she experienced this, the situation would probably not have been brought up in a conversation about racial/ethnic profiling.

## 9) EQUALITY BEFORE THE LAW

The powers of the police are regulated by the Police Act, but also by the Instrument of Government (the Swedish Constitution). In the latter, three principles are emphasised: the principle of equality, the principle of legality, and the principle of objectivity. The Instrument of Government states that: "Courts of law, administrative authorities and others performing public administration functions shall pay regard in their work to the equality of all before the law and shall observe objectivity and impartiality." The Police Act stresses two further principles: the principles of necessity and of proportionality. An intervention should be justifiable in relation to the results it is intended to achieve. A measure is necessary only if the objective cannot be achieved by other means.

In addition to occasions when informants have committed criminal offences, it is important to examine racial/ethnic profiling in light of situations in which they have been invited to participate in the fight against crime. This is true not least of the Swedish Security Service, whose explicit goal it is to build better relations with Muslim civil society (The Swedish Security Service, 2010).

*They wanted me to get in touch if I heard or saw anything suspicious. They gave me an offer to play on the blue-yellow team. "This is your chance to become Swedish." He didn't say it directly, but indirectly: "Now you can prove that you're one of us." (...) I replied very clearly: "It's not something that I feel like. I can't contribute any information that you cannot get elsewhere. Moreover, my perspective is different from the view on society that many of your senior advisers have, such as [name of renowned experts on terrorism]."*

The informant says that he does not want to cooperate with a government agency whose work legitimises a stigmatising order. By addressing what it means to "play on the blue-yellow team" he is at the same time raising questions about nation, belonging, and identity. But also about the relation between rights and obligations (cf. Nagra & Maurutto, 2016). The fact that some people must "prove" that they are Swedish clarifies the racialising power structure that the authority's "vision of society" is assumed to rest on. It is important in this context that the informant himself had contacted the security service in order to prevent an acquaintance from fighting for a terrorist organisation in Syria. In order to understand the informant's feeling of discomfort, the power relations he positions himself against must be examined. He is thus not critical of the security service's goal to prevent the rampage of terrorism. Rather, it is about developing a legal framework that is not perceived as offensive. This is made clear when the informants describe interactions with the police when they themselves have been the victims of crime.

*We were driving. I'd been to work, my husband came to pick me up. We were supposed to pick up our daughter from kindergarten, but my mother did instead. Luckily. Because on the road, a guy in his mid-twenties approaches. He's an addict, we know him from before. He starts to drive into our car. It felt like being in a horror movie, I've never experienced anything like it. So I called 112 and screamed: "We're going to die soon." Smoke began to pour from the engine. I screamed into the phone: "We need the police." (...) When the police did arrive, the first thing they said was: "Ah, so you're Roma. Can you not handle this yourselves?" Then they continued: "Is this is a family dispute? Do you have a driver's licence? Have you been drinking?" Like, nothing about the perpetrator. They thought maybe we had stolen the car.*

The informant describes an experience of being a victim as a member of an ethnic minority. She is treated as a

**“When the police did arrive, the first thing they said was: ‘Ah, so you’re Roma. Can you not handle this yourselves?’ Then they continued: ‘Is this is a family dispute? Do you have a driver’s licence? Have you been drinking?’ Like, nothing about the perpetrator. They thought maybe we had stolen the car.”**

suspected criminal by the police: “They thought maybe we had stolen the car.” In addition to the panic that the situation itself brings, the attitude of the police results in an additional vulnerability. The fact that the informant’s urgent need of help is met with criminalising questions limits her opportunity to

enjoy her democratic rights. When informants are victims, they need a police officer who completes his or her mission in a manner that is not offensive:

*A month ago, there was gunfire in Husby. Some had gotten a car that my brother and his friends were sitting in mixed up, and fired several shots at it. They were injured, but survived miraculously. (...) The ambulance didn’t dare to come until the police was on site. So when the police gets there, everyone’s screaming: “Where’s the ambulance?” The guys start to argue with the police. That’s when the police grabs hold of my brother and says: “You’re not going nowhere.” While he’s bleeding from his face. There’s a fuss, and the police puts the guys in a car. Then the ambulance arrives. Only after they’ve been frisked are they taken to the hospital.*

The treatment of the brother could be interpreted as the price some inhabitants have to pay in the fight against crime (cf. Etienne, 2010; Renauer, 2012). From the informant’s perspective, his bleeding brother and his friends should have been offered medical care immediately. Instead, there is a discussion, they are frisked, and have to wait in a police car. They are thus treated as criminals rather than victims. However, nothing in the informant’s description indicates that the police patrol or ambulance acted in violation of the prevailing rules. The district where the shooting occurred is one of the places that the police has identified as particularly vulnerable (The Police, 2017). Crimes against police officers and paramedics in some residential areas have led to special provisions being drawn up. The response must be understood in this context. From the informant’s perspective, however, it is experienced as an injustice at a crucial stage.

#### **Between reasons:**

**“In what way did I look suspicious?”**

In order to analyse racial/ethnic profiling, it is important to understand what leads to a police check. The complex causality behind when, where, how, and why race/ethnicity is a factor in police practices is crucial to

finding recurring patterns. Informants often describe a plethora of causes that led to them being stopped.

*I was out walking with a couple of friends. It was a regular evening, nothing special. Suddenly, the police stops in front of us. They get out and push us up against the car. It happened for no reason whatsoever. None of us was wearing anything strange. No one had had anything to do with the police before. It was a question of our appearance. We’re black. We saw another group of guys in front of us, all of them white. They weren’t stopped. This is something that happens continuously. I can tell you about several similar experiences. It’s nothing unusual.*

The informant stresses the routine nature of the check he was subjected to: “It happened for no reason whatsoever.” Later, he clarifies that it does happen for a reason: “We’re black.” The profiling is thus perceived as Afro-Swedish. It is this factor that invalidates the principle of objectivity, impartiality, and equality before the law. Studies have previously indicated that blacks are at particularly high risk of being subjected to racial/ethnic profiling (EU-MIDIS, 2017). In addition to race/ethnicity, the categories gender and age are important here. The informant draws a parallel to how the police treats a “group of guys” who are all white. The comparison is thus not with women or older men, but with a group of men of the same age. The example confirms that young black men in a group run a higher risk of being stopped by the police (cf. Kalonaityté, Kawesa & Tedros, 2007; Mångkulturellt centrum, 2014). The place where this happens is also vital (cf. Peterson & Åkerström, 2013; Lynch, et al., 2013).

*I was at Lidl in Bergsjön not so long ago. I’d driven there in my black Mercedes and was, as is typical, dressed in a black suit. Then I drive out, the police sees me. It’s not like the car is untaxed, uninspected, uninsured. It’s all that. Plus, I drive lawfully, wear a seatbelt, everything works on the car. I see how they’re following me. They drive behind me for a kilometre and a half, not even that. When they stop me, I ask: “Why me?” “You looked suspicious.” “In what way did I look suspicious?” “The area you’re driving in, in a black Mercedes.” “But did I do anything illegal?” “No.”*

The informant responds to the notion of himself as a criminal in several ways: “I drive lawfully, wear a seatbelt, everything works on the car.” The situation is thus about something else. He explains that he is, “as is typical, dressed in a black suit” – traditional dress for Roma men. At the same time, the informant describes the complex factors playing into why he is stopped. On the one hand, he is in a black Mercedes. On the other hand, he is driving through the Million Programme (public housing) area Bergsjön. The fact that the police check takes place in an

area identified as particularly vulnerable and therefore of particular priority is important. Interview studies with the Gothenburg police shows that specific car makes are checked systematically in these areas (Östlund, 2013). The fact that racial/ethnic profiling is tightly tied to notions of place and the bodies that are present there is confirmed by the informants (cf. Bass, 2001; Meehan & Ponder, 2002). A focus group in the Stockholm suburb of Alby discusses how the police would act if they encountered the interviewer on the square one evening.

*Perhaps the police would've taken you for customer. (...) With your hat, you stick out here. But if you go into town, you'll blend in. We blend in here. But if we go into town like this [pointing to his sweatpants], we'll stand out. There, I dress a little nicer, put on a pair of jeans or a nice sweater. No dark clothes. Hoodies are completely forbidden.*

The statement captures a sense of fashion that emerges as a consequence of racial/ethnic profiling. A nice style – but not too nice – allows the informant to elude the police's radar: "Hoodies are completely forbidden." A hat causes one to "stick out" in one context, but "blend in" in

another. The informant identifies how the attitude of the police is not only charged with notions of race/ethnicity, but also with class. He puts his finger on the fact

***"We blend in here. But if we go into town like this [pointing to his sweatpants], we'll stand out. (...) Hoodies are completely forbidden."***

that bodies are not static, but negotiated through their attributes. This, in turn, is linked to various categories of crime. The informant describes what a person visiting the area to buy illegal substances may look like. The image of such a person is likely to be different from the stereotypes surrounding undocumented individuals or people suspected of being involved in organised crime.

#### **Between past and present:**

##### ***"We knew that the police was stopping Roma"***

Even though racial/ethnic profiling follows general patterns, it is important to understand how the phenomenon manifests itself in different forms in relation to specific ethnic minorities and racialised groups. Interviews with Roma are exceptional in a number of respects and require the general understanding of racial/ethnic profiling to be made more specific. Firstly, profiling should be understood in a historical context: informants think of today's situation as part of a continuum (cf. Colacicchi, 2008; Amar, 2009). Secondly, the informants' experiences of control and surveillance extend beyond their contact with the forces of law and order.

*Now, you said that we should tell our own stories. But this is about my grandfather. He and Grandma check in to a hotel. A few hours later, the hotel manager knocks on the door. "You have to leave quickly, there's a whole horde of people outside." This was of course a long time ago, maybe 50–60 years ago. (...) Grandpa pulled the door shut with his belt, then they ran for their lives. Jumped on a train, bought the tickets there. This is what I can say: No police officers were on their side in that situation. They were part of the crowd.*

An incident within the family lives on, despite the fact that it happened "a long time ago". The experience thus propagates through the generations. In the analyses of racial/ethnic profiling, it is important to take into account the historical experiences through which the function of the police in society is understood. It is not simply the case that the force does not protect Roma from crime. It is even "part of the crowd" that chases them away. The hatred against Roma harboured by the majority of society is central to an understanding of why profiling has been presented as legitimate throughout history (cf. Ericsson 2015; Ds 2014:8).

*When we drove through Sweden, as we often did when I was younger, there were cities, such as Örebro, where you knew that the police was stopping Roma. They dragged the whole family out of the car in order to intimidate us. They harassed and frightened the children, so that you'd take a detour.*

Previous examples show how spending time in public places, not least in one's own residential area, comes with a risk of being subjected to control and surveillance. The Roma experience strengthens this description, but also differs in part. In this example, the informant speaks of how entire cities have become no-go zones, places that the Roma have avoided because of the police. These police practices affect whole families; children are especially vulnerable. The difficulty of protecting the children recurs in statements about the police made by Roma informants.

***"They dragged the whole family out of the car in order to intimidate us. They harassed and frightened the children, so that you'd take a detour."***

*The police makes school visits; they come and speak in front of the class. My son was in fifth grade. (...) When he gets home, he tells me that the police officer had extended his hand and knew his name. He doesn't get it of course, he's in fifth grade. But to me, it's clear that it was about a surveying of our boys. So the next day, I go to his school and say to his teacher: "How strange. Do these cops know all the children by their first names? Because my boy has never even met the police. And I'm not a criminal, so there's no reason. Except that we're Roma." Then they said: "No, no, but there was a situation*

*in which we talked about various boys at the school. His name probably just came up.”*

The informant describes a situation that has arisen in connection with the police authority's outreach activities. She reacts to how the school is helping the police gather information about her son and calls it a “surveying of our boys”. Several studies indicate that Roma have a special place in the stereotypical imagination of Swedish police officers. Being Roma is often equated with being a criminal (cf. Granér 2004; Görtz 2015). The Roma experience is distinguished by a government repression that has been enacted by the police, among others, both historically and in the present.

*I don't look like [a Roma]. Not many people know it. But somehow the police knows anyway. 'Cause I'm in the register. So is my daughter. She was three when it was revealed. I'm Roma, but I have no criminal background. And she. What can a child have done? This creates no trust in the police. Not that I felt any trust before. I'm so frustrated. There are so many questions we've not received an answer to. How was the mapping done? Others than the police must have been involved. How could they have known that I'd had an addition to the family?*

Here, the informant refers to the Skåne police authority's register of more than 4,000 Roma that was exposed in 2013. Even though the informant is upset, the existence of the register is interpreted as part of a historical continuity, a tradition of surveys. That's why, even before the revelation, she did not have “any trust” in the police. The informant is preoccupied with the question of how her daughter ended up in the register: “How was the mapping done?” She wants to know how the police received information that she had “had an addition to the family”. There is a claim here that other authorities must have been involved and contributed information: “Others than the police must have been involved.” The focus of the conversations with Roma informants often shifted to the roles of schools and social services, not least to the risk that children could be taken away. From a Roma perspective, a focus on the police is not sufficient when experiences of racial/ethnic profiling are examined. Often, informants even state that the police has acted in a less threatening and repressive manner than other authorities.

### ***Between abuse and a cup of tea: “Am I part of a threat against Sweden?”***

In the same way that Roma experiences of racial/ethnic profiling must be analysed in light of the group's historical relationship to the police and the State, an in-depth understanding of the experiences of Swedish Muslims is also required. The war on terror has given rise to specific attitudes to this group (cf. Bahdi, 2003; Nagra

& Maurutto, 2016). If the analysis must be extended to authorities other than the police for an understanding of the profiling of Roma individuals, the inverse applies in relation to the Muslim group. In this context, it is important to zoom in on the work carried out by the Swedish Security Service (Säpo) instead.

*They've stolen seven years of my life. They never said sorry. One day it was simply: “You're no longer a security risk.” (...) If you don't have blond hair and blue eyes, if you're a wog from the Middle East, then they don't care about human rights. The law is different for us. (...) It's still a nightmare. When I scream in my sleep, my wife wakes me up. I'm often panicking. Sometimes when I'm out driving, I feel followed and drive round and round in the roundabouts. I'm in a very bad state.*

In the study, racial/ethnic profiling is described as a form of microaggression, the manifestation of discrimination and subtle violence in everyday life. But the material also reflects experiences beyond the everyday, especially when Muslims speak of nightmare scenarios associated with not having “blond hair and blue eyes”.<sup>10</sup> The informant describes a legal process lasting several years in which he was suspected of, and during a period detained for, having contributed to funding terrorist activities. In addition to mental health problems, one consequence of having been identified as a terrorist is that he has not been granted citizenship, unlike other members of his family. Although some dire consequences of the security service's work are described, experiences that put the authority's practices in an everyday context dominate.

*I was maybe 16 years old and had just started up a club for young girls. We met once a week in a separatist discussion forum. (...) Then one day, I got a call from a private number. It was from the security service: “Hi, we've noticed that you've started an association. We would like to meet and talk about what you do.” I don't remember exactly what was said, it was a couple of years ago. But I remember the gist of the conversation. I asked: “How have you gotten hold of my phone number? It's not on the internet.” They said: “We've promised not to tell you that.” I still don't know who gave them my contact info. But they came. Mum was home. I had a binder with our statutes and protocols that I showed them. They were plainclothes. The atmosphere was friendly, they just wanted to talk. So we sat there and drank tea. It wasn't a long meeting.*

The meeting with the Swedish Security Service itself need not be perceived as threatening. Here, the informant describes the atmosphere as “friendly”. Taking care of the matter privately avoids producing a public stigma: “They were plainclothes.” The sense of tact is, in turn, linked to the level of suspicion. The



security service agents “just wanted to talk”. It is thus a so-called voluntary conversation, which the security service engages in with primarily young people who are not suspects. If the police check itself is carried out over a cup of tea, what precedes the meeting becomes crucial to understanding Muslims’ experiences of profiling: “I still don’t know who gave them my contact info.” The security thinking that surrounds the security service’s work has far-reaching consequences for individuals (cf. Bonikowski, 2004). Several informants describe how they are very careful with what they do online, but also with what they say in public, in the workplace, as well as in the mosque. As a Muslim, being in the same place as a person under surveillance is enough to become a suspect oneself.

*The interview began with the same questions that the migration agency asked when I came to Sweden. He probably checked if the answers matched. Then he began to talk, and talk, and talk. He talked quite a lot about my education. How good I was, who’d not been living here long but had still gotten myself an education and a job. (...) In the end, I interrupted him: “I gladly accept compliments. But what does that have to do with it?” (...) Then he says: “Do you know [names of two people]?” I go:*

*“They’re not my friends, but I know who they are.” They were two guys from Somalia who, I don’t know what’s true or not, but anyway they were going to kill [name of individual]. He goes: “Do you know them?” (...) “We pray at the same mosque. You greet each other. It’s not more than that. What do they have to do with me?” (...) Then he explains how I’ve come into the picture. “No one could identify you. You were just not in this group in the past. And then you suddenly disappeared from the picture.” I go: “What do you mean disappeared? What picture? How did I even enter it?” I work, pay my taxes and rent each month. Every Friday I go to the same mosque. “What’s this picture?” Am I part of a threat against Sweden?” (...) In the end, I felt: this old man doesn’t know what’s what. He doesn’t even know himself why they’re afraid of me. (...) The meeting ends with him saying that I seem like a nice guy. We have no problems with each other.*

The informant is brought in by the security service without knowing why. Once there, the suspicion that occasioned the interview is dispelled: “The meeting ends with him saying that I seem like a nice guy.” His relationship to the individuals whom the security service is actually interested in does not extend further than praying in the same mosque and greeting each other

## 10) ALLEGATIONS OF TERRORISM

- On 18 December 2001, two male asylum seekers are deported from Sweden to Egypt. The Swedish Security Service has deemed them a security risk. With the help of the US intelligence service, the CIA, the men are detained by masked agents. Their clothes are cut to pieces, they are drugged, hooded, and put in adult diapers and shackles. Their families and legal representatives are only informed of their expulsion after it has been executed. In Egypt, the men are imprisoned and tortured. One of them is released in 2003, the other is sentenced to a 25-year prison sentence that is later reduced. In 2004, the Swedish TV programme Kalla Fakta (“Cold facts”) reveals details surrounding the operation. It has been approved by the Swedish government after pressure from the United States. Civil Rights Defenders represents the men in a complaint to the UN Committee against Torture, which convicts Sweden of having sent the men to a country where they risk being subjected to torture. On behalf of the men, and with the UN decision at its back, Civil Rights Defenders demands damages from the State, and the Chancellor of Justice decides to compensate the two men with 3 million SEK each. In 2012, one of the men is granted a residence permit in Sweden. He is reunited with his wife and children after spending a decade in jail.
- On 25 October 2010, a woman reports that she has heard a man speak on the phone in Arabic about a bomb in the department store Femman in Gothenburg. The police and security service attempt to trace the call. Five days later, masked policemen with automatic weapons storm four apartments. There are children in all of them. The police is looking for three men and a fourth to be heard as witness. Within a few days, they are all freed of suspicion. The operation is reported. The men have been interrogated without a

lawyer and several serious weaknesses in the investigation are found. The police is accused of disproportionate violence and degrading treatment of the suspects. The Separate Public Prosecution Office closes the investigation as no single person can be held responsible, even though misconduct has been established. The decision is appealed, but the investigation is closed once more. Civil Rights Defenders makes a complaint to the Parliamentary Ombudsman, directing serious criticism against the way the case has been handled. Among other things, it is noted that the police had information indicating that the wrong call had been traced even before they stormed the apartments, and that it is likely to have been the shortcomings of the investigation that led to the men being wrongly imprisoned and their families being subjected to a violent police intervention in their homes. Since the Parliamentary Ombudsman’s decision, Civil Rights Defenders has raised claims for damages against the State on behalf of the individuals affected.

- On 19 November 2015, a 23-year-old asylum seeker is arrested in Boliden after one of the biggest terrorist hunts in Swedish history. The security level has been raised in the country and the military is standing by. A description of the man including his name and picture has been issued and he has been identified as a member of a terrorist organisation. It turns out that he has been at the property where he was registered by the Swedish Migration Agency all along. After being held in custody for three days, he is freed of all suspicion. The man receives 12,000 SEK in damages from the State. The Head of the Swedish Security Service, Anders Thornberg, defends the effort, claiming that the agency had received “credible information” about a planned attack in Stockholm and had been “forced to act”.

there. During the course of the meeting, the informant realises that they do not even seem to know themselves “why they’re afraid of me”. The conclusion he draws is that the security service “doesn’t know what’s what”. The description stands in contrast to the paranoia, linked to the idea of total surveillance, that some informants feel.

*In Muslim circles, this is often joked about. If one is saying something that could be misconstrued, it is sometimes addressed to an invisible third person: “To*

*whomever is listening, it’s actually the case that...” To avoid ending up like the man who said that he had an explosive headache.*

The statement illustrates the importance of examining experiences of racial/ethnic profiling on the basis of the informants’ assumptions about state control and surveillance. It is thus not just a question of what the security service actually does, but also of how people’s beliefs about what it does affect their everyday lives.

## 7. FOUR ARGUMENTS ABOUT RACIAL/ETHNIC PROFILING

### **A rebuttal: Colour-blind policing**

Four arguments emerge among the police officers interviewed in the report. The first is a rejection of the existence of racial/ethnic profiling. People are simply not stopped on the basis of their appearance, background, or religion. The rebuttal must be understood in relation to the way the phenomenon is equated with stereotypes, racism, and discrimination, something that stands in stark contrast to the vision of diversity within the Swedish police (cf. Wieslander, 2014). The chain of thought is, in turn, based on a narrow definition of the phenomenon. The informants oppose an understanding of race/ethnicity as the single active factor (cf. Ramirez, Hoopes & Lai, 2003).

*We work with facts. It’s not the case that we have a stereotype of black men as violent. And then we stop all black men. A police officer who did that would be in big trouble.*

**“We work with facts. It’s not the case that we have a stereotype of black men as violent.”**

The informant claims that it will not go well for the police officer whose work is based on

stereotypes, rather than facts. Facts and professional knowledge are perceived as neutral and colour-blind (cf. Milovannovic & Rusell, 2001; Alexander, 2012). Several police officers emphasise this as the basis for their work.

*We don’t stop people simply because of what they look like. We need a concrete suspicion of crime. And specifically in [name of district], I know almost all the young people. When we work with narcotics, we start by investigating, looking into who’s doing the selling. Then we go up and do a check. And then you’ll often hear: “You’re only stopping me because I’m an immigrant.” But that’s not the case, then, even though some try to pull this racist card.*

When the police is interviewed about their work, they describe the routines that constitute their profession. The informant explains how their work begins with an

investigation. An intervention is made only when there is a “concrete suspicion of crime”. This can be described as an ideal for police work. According to the informant, stopping people on the basis of their appearance is thus not part of the practice. He dismisses the claim that people could be checked “simply because” they belong to an ethnic minority or a racialised group. Appearance and notions about someone’s background are thus dismissed as grounds for suspicion. The informant thereby positions themselves against studies indicating that the police acts on looser grounds in relation to ethnic minorities and racialised groups (cf. Pettersson, 2005; SOU 2006:30). The fact that some “try to pull this racist card” is understood as the manifestation of false beliefs about police officers.

*I can draw parallels to before I became a police officer. I worked in a restaurant. When I was driving home late at night in my old Golf, I was stopped by the police several times. It happened maybe three times in one year. Each time I felt: “What the hell, it’s only because I have dark hair and am an immigrant.” They never explained why they stopped me. I brought this experience up at the police academy. Then the teacher said: “Imagine that you’re working the night shift. There are no cars out, you see someone driving around in a shabby Golf. Of course you’ll stop it. The fact that you’re dark doesn’t matter. That’s not why.” And I understand that, now that I’ve worked nights myself. (...) It’s about time and place. And behaviour. If someone is a bad driver or stands out, it’s of interest. If it’s in an area where there have been a lot of shootings and guns or drugs in circulation, we do extra checks. But of course, if you’re stopped many times you might feel vulnerable. Like: “Why are you not out in Limhamn, stopping cars there?”*

The informant’s story raises questions about broader representation within the police force (Barlow & Barlow, 2002; Wilkins & Williams, 2008). He describes how his understanding changes as he takes on the role of police officer and develops a professional gaze (cf. Holmberg

1999; Finstad 2000). What has previously seemed like a consequence of having “dark hair” and being an “immigrant” is renegotiated during the training and his time in the field: “The fact that you’re dark doesn’t matter.” Race/ethnicity is now perceived as something innocuous and trivial (cf. Görtz, 2015). Thus, it is not possible to link the police checks to which he has been subjected to questions of racism and structural discrimination. Rather, it is a case of neutral factors: time, location, and behaviour. These variables are linked together when the police decides which elements “stand out” and must be checked. If there have been many shootings somewhere, this explains why people in the area are stopped to a greater extent than others. Police practices thus take as their starting point an understanding of crime perceived as objective. At the same time, the informant allows for a recognition of how methods may be perceived as offensive: “But of course, if you’re stopped many times you might feel vulnerable.” What the informant described as an “experience” when it affected him has now been redefined as a feeling.

It is important to understand the view of crime prevention that is manifested here. Why do young people actually try to pull the “racist card”? What makes some groups feel “vulnerable”? From a consensus perspective, the police is an authority that, based on good intentions, upholds law and order for all members of society. At best, problems are regarded as accidents at work. A conflict perspective, however, would hold that the police contributes to maintaining unequal power relations (cf. Hayle, Wortley & Tanner, 2016). The colour-blind approach which the informants describe no doubt rests on the first position.

### **An opening: Mistakes and bad apples**

The informants thus relate to issues of racial/ethnic profiling mainly by dismissing the occurrence of the phenomenon within the force. At the same time, their arguments allow for an understanding of what the victims speak of.

*The Roma register is not something I have personally come into contact with. I found out about it through the media. Then I just thought: What the hell is this? Who’s the idiot responsible? When we’re out driving and reach out to the control room with questions about names and criminal records, they never say: “This is a Roma or a Jew.” No religion either. It’s not of interest. Ethnic background has never been of interest to me in this job. The Roma register made me react. What are they using it for? There’s no sensible thought here. There’s no point in knowing who’s Roma.*

The revelation of how active members of the force have registered people on the basis of ethnicity and family relationships comes as a shock to the informant: “What

the hell is this?” The information reaches him via the media, and stands in contrast to his beliefs about how the police profession should be exercised: “There’s no point in knowing who’s Roma.” As a result of this view, he feels angry with his colleagues; the practice lacks a “sensible thought”. At the same time, the register of Roma individuals is reduced to the result of a single “idiot” who is to blame. It is thus not understood as the manifestation of a historical continuity, as research shows (cf. Ericsson, 2015; Ds 2014:8). Given the persecution of Roma that the Swedish State has been guilty of, in which the Skåne police authority has played a prominent role, the statement should be regarded as a rhetorical figure that transforms a systematic practice into a single event. The Roma register is thus understood as an anomaly. The argument is that rotten apples within the force may be guilty of individual violations, but that police work is largely colour-blind:

***“Ethnic background has never been of interest to me in this job. The Roma register made me react. What are they using it for? There’s no sensible thought here. There’s no point in knowing who’s Roma.”***

“Ethnic background has never been of interest to me in this job.” On the one hand, this reasoning reduces the role of racism in society and in police work. On the other hand, it allows for a recognition that at least some police officers are guilty of violations. Based on the informants’ reasonings with regards to their profession, it is thus possible to find evidence of the racial/ethnic profiling that is discussed in previous chapters. Two partly contradictory examples clarify the argument:

*I’m not saying that there aren’t any unpleasant police officers. There are some damn unpleasant officers out there. The problem is that it rubs off on us all. (...) But some might perceive us as unpleasant because we have power. Because the police says: “Stop! Don’t go any further! Stop! Hands on the wheel!”*

*I’ve thought about the question of racial profiling and discrimination. I’ve been working for 30 years. I don’t recognise that this is the case. I feel really confident in this organisation. However, we do wrongful things. I was there when we created SGI-99 [the Special Gang Initiative], when we ran stop and search operations in Fittja and Norsborg. We were supposed to stop people in order to confiscate weapons and drugs. I was among those who made this wrongful choice. I’ve learned along the way, read up, and gained experience. (...) The tactic was hazardous for the citizens’ trust. And without trust, it’s difficult for us to create safety and solve crimes. What I think we’re being criticised for is when, in a certain area, we’re working against a target group that is far too wide.*

These two statements differ in crucial ways, but they are united in the dismissal of what informants perceive

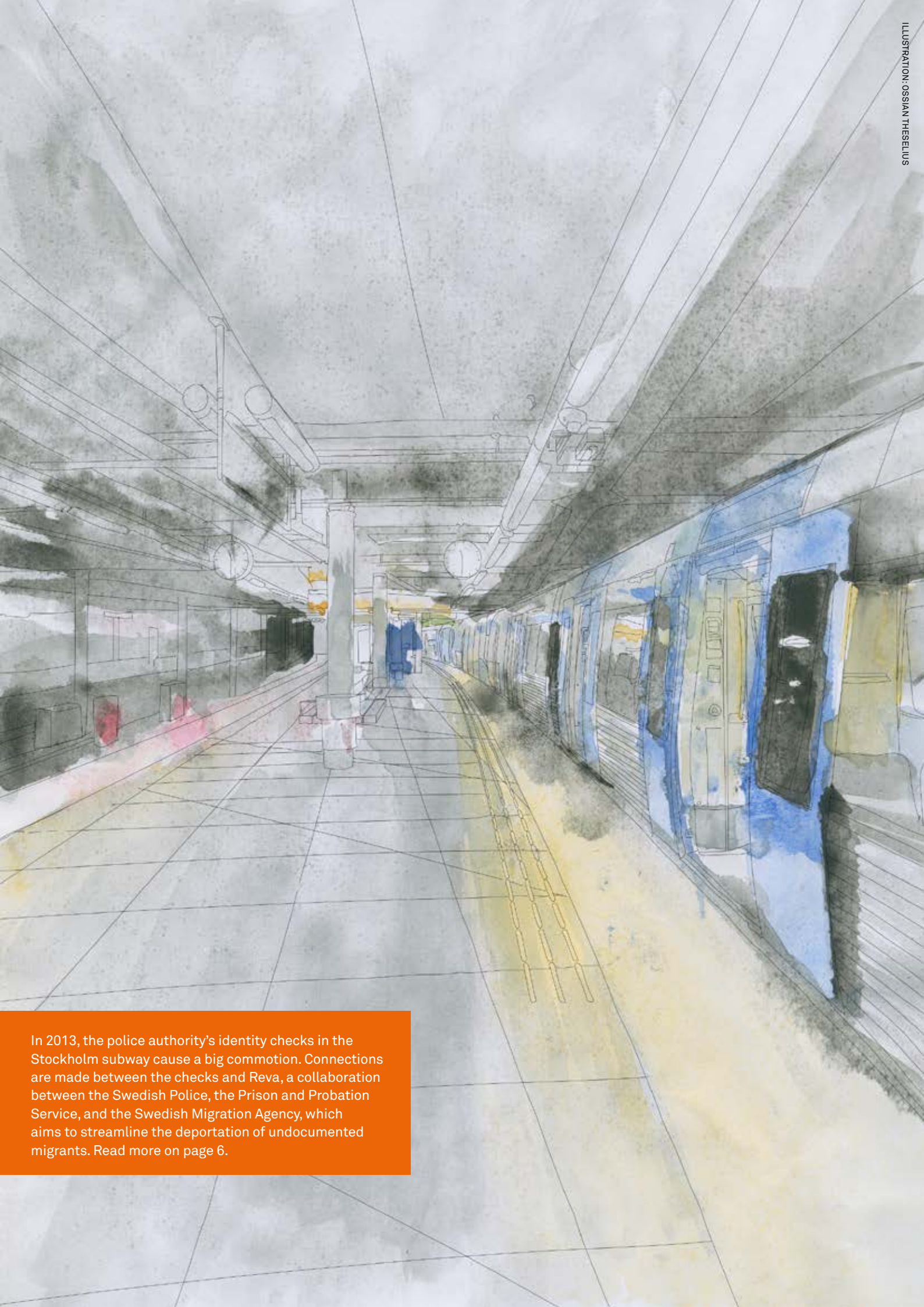
as the starting point of the report. One emphasises the power of the police, rather than any problematic treatment of ethnic minorities and racialised groups. The other informant does not agree that the police is guilty of profiling on the basis of race/ethnicity: “I don’t recognise that this is the case.” At the same time, the statements allow for an understanding of how experiences of racial/ethnic profiling are shaped. One informant admits that the authoritarian language that is reflected in police interactions not only depends on the occasional “damn unpleasant officer”<sup>11</sup> The general jargon also goes: “Stop! Don’t go any further! Stop! Hands on the wheel!” It can be read as a comment on how so many of those who are stopped and checked perceive the police as treating them as criminals in advance. This should, in turn, be linked to the fact that the actual interaction is crucial to how the police may build or destroy the legitimacy of its activities (cf. Schulhofer, Tyler, & Huq, 2011).

The other informant describes how “stop and search”, a police tactic the implementation of which he has been

involved in, affects a “target group that is far too wide”<sup>12</sup> He is referring to an institutional practice that could result in racial/ethnic profiling (cf. Justice initiative, 2006; Martens, Shannon & Törnqvist, 2008). The effect of “this wrongful choice” was criticism and a lack of trust among certain groups. Thus arose a difficulty “to create safety and solve crimes.” In addition to causing a reduced interest in cooperating with the authority, practices that are perceived as unjust, discriminatory, and racist have been identified as a hindrance to social cohesion (cf. Sernhede, 2006; Molina, 2006). The actions of the police are also often described as the spark that ignites the flame in connection with social unrest in marginalised neighbourhoods (Keith, 1993; Dikec, 2007; de los Reyes, et al., 2014; Schierup, Ålund & Kings, 2014). It is therefore of interest that the informant has reevaluated the strategy he participated in implementing. Instead of making the same mistakes, he has “read up, and gained experience”. The informant recalls the importance of not understanding the authority as a monolithic entity, but as a changing organisation in which contradictory

#### 11) PEJORATIVE POLICE JARGON

- 1997: In connection with a brutal robbery in Uppsala, the police radio broadcasts a description of the suspect: they are looking for a “blue n[\*\*\*]” (racial slur denoting blacks with a particularly dark skin colour). A detective commissary responds to criticism in the daily newspaper Dagens Nyheter: “It was not the intention of the police officer to use the word for pejorative purposes. There are so many n[\*\*\*] tribes in Africa, and he just wanted to specify the nuance of the suspect’s skin colour.”
- 2008: “I agree with that old man at the Ica supermarket in Vellinge: You’ve come to the wrong municipality, you fucking wogs.” “That little fucking monkey. I’ll make him sterile if I get hold of him.” The words are taken from the police’s own video from inside a police van in connection with the riots in the Rosengård district of Malmö.
- 2009: When a woman is robbed, a police officer sends out an email to colleagues on patrol duty asking for information about “a n[\*\*\*]r wearing a khaki green jacket.”
- 2009: The newspaper Sydsvenska Dagbladet reveals that the fictional names “N[\*\*\*]r N[\*\*\*]rsson” and “Oskar N[\*\*\*]r” were used on a training day for about 50 employees at the regional crime unit in Malmö.
- 2013: The newspaper Aftonbladet reveals that a police officer, formerly of the Norrmalm Riot Squad, has participated in a Nazi demonstration organised by the now defunct Party of the Swedes in Lidköping. The man is recognised after showing other officers his badge, despite not being on duty.
- 2016: “Those who come here with different intent shall be forced to adapt, be prosecuted, be thrown out, and, when necessary, eliminated.” A police officer expresses his views on refugees in a letter to the editor in the newspaper Nya Wermlands-Tidningen.
- 2016: “I’ll give you a thrashing, you watch out.” “Go for fuck’s sake, you damn idiot, go home you fucking Arab, go home to your fucking country, you fucking rabble.” A man records a police officer before he is dropped off in the woods outside Emmaboda. The man also states that he was beaten by the police in question.
- 2017: “Arabs are the worst rabble.” An active police officer in Västra Götaland posts in an open Facebook group with approximately 90,000 members.
- 2017: “I’m so fucking tired.” An experienced criminal investigator from Örebro writes a post on Facebook that attracts much attention. It continues: “What I’m going to write here below is not politically correct. But I don’t care. What I’m going to express to all you taxpayers is forbidden for us government employees. It leads to the loss of one’s career and loss of individual salary. Even though it’s true. I don’t care about all that, I’m about to retire soon anyway after 47 years in this business. I will now and every week going forward recount in detail what occupies me as an investigator/lead criminal investigator at the division for severe crimes police in Örebro. Here we go: This, I have dealt with Monday-Friday this week: Rape, rape, aggravated rape, assault rape, extortion, extortion, interference in a judicial matter, unlawful threats, violence against the police, threats against the police, drug offences, gross drug offences, attempted murder, rape again, extortion again, and physical abuse. Suspected perpetrators: Ali Mohamad, Mahmod, Mohammed, Mohammed Ali, again, again, again, Christoffer... what, is it true. Yes, a Swedish name snuck its way into the outer fringes of a drug crime, Mohammed, Mahmod Ali, again and again.”



In 2013, the police authority's identity checks in the Stockholm subway cause a big commotion. Connections are made between the checks and Reva, a collaboration between the Swedish Police, the Prison and Probation Service, and the Swedish Migration Agency, which aims to streamline the deportation of undocumented migrants. Read more on page 6.

processes are ongoing, which individual police officers shape and are shaped by.

## 12) THE SPECIAL GANG INITIATIVE (SGI)

In 1999, the Södertörn Police District initiates the Fittja Commission. It is later renamed the Special Gang Initiative (SGI). The “stop and search” method becomes prominent here, which means man-marking people and cars. In 2005, in a feature on the Swedish TV programme Dokument inifrån (“Documents from the inside”) the police authority’s working methods are examined. It becomes clear that the police stops, frisks, and questions mainly men belonging to ethnic minorities and racialised groups simply because they have been spotted in certain areas. The programme leads the Social Democratic Youth League (SSU) together with Social Democratic Women in Sweden to report the police to the Equality Ombudsman (DO).

Even though institutional practices that lead to racial/ethnic profiling can be made visible through the recognition of mistakes, several informants understand situations in which the police has acted wrongfully as stemming from communication issues with the public. This mainly concerns scandals that have received considerable media attention.

*If we look at the last ten years, at events related to ethnic profiling and racism, I would probably say that Skåne sticks out. It’s about the leadership very clearly defending one line of argument: “We’ve not done anything wrong.” It happens everywhere that people make mistakes. But, in Skåne, and this is a subjective opinion: The way they defended the Roma register and “fucking monkeys”. It did not look good.*

The informant claims that there are important regional differences in police culture: “Skåne sticks out.” He says that “people make mistakes” everywhere, the problem is that the management is glossing over the human factor. The way in which the scandals were defended “did not look good”. An understanding of mistakes at work allows for discussions about individual bad apples, but also for criticism of institutional practices and regional police culture. There is a tendency to reduce this to a question of communication issues. But this, in turn, allows for a deeper understanding of experiences of racial/ethnic profiling. However, the premise is that it has to do with accidents at work rather than structural problems.

***“We use skin colour as a selection criterion in certain situations. If you’re carrying out an internal immigration control, as the police is obliged to do since we joined the EU, then you must simply carry out an internal immigration control. The point is to check whether people have a right to be in the country or not.”***

## Recognition: Racialising police practices

In contrast to the dominant way of understanding the issue, sometimes the informants actually describe race/ethnicity as a central category in police work. Interestingly, it is then considered natural, self-evident, and by the book. Some job assignments simply have an ethnic and racialising character: the officers discuss immigration controls in this way. Even though the study is limited by the fact that representatives from the security service declined to participate, counter-terrorism efforts may be included here. Attempts to limit the presence of Roma EU citizens in public places are also included in this category.

*We use skin colour as a selection criterion in certain situations. If you’re carrying out an internal immigration control, as the police is obliged to do since we joined the EU, then you must simply carry out an internal immigration control. The point is to check whether people have a right to be in the country or not. You do this on the basis of various things. It may be a question of profiling based on the fact that you know of this person. You know that he or she is not allowed to be here. Through intelligence information or through other suspicions. But it’s also self-evident, isn’t it, that if you see two individuals in the subway, one a towhead and the other like you. Well, it’s not really surprising that someone looking for foreigners automatically looks at you and not at the towhead.*

It is “self-evident” for the informant that the police uses skin colour as a selection criterion in internal immigration controls; it even happens “automatically” (cf. Hydén & Lundberg, 2004). The statement confirms the criticism against the police force in the wake of ID checks in the Stockholm subway in 2013. People were stopped simply because of their appearance, which goes against applicable regulations.<sup>13</sup> The informant describes how the police is “obliged” to implement controls since Sweden’s entry into the EU. The racialisation of police tasks is thus legitimised by reference to policy. In this way, racial/ethnic profiling is reduced to a question of whether it is morally right or wrong to submit to political decisions (cf. Etienne, 2010). One informant describes how he opposes current political developments.

## 13) WHEN MAY INTERNAL IMMIGRATION CONTROLS BE IMPLEMENTED?

Internal immigration controls are regulated by the Aliens Act. It states that a person residing in Sweden is obliged to present their passport or other documents proving that they have a right to reside in the country when the police demands it. The Swedish National Police Board’s regulations make clear that an internal immigration control may only be carried out if there is “reasonable cause to believe” that the person in question has no legal right to reside in the country. Internal immigration controls may not be carried out solely due to the fact that a person’s appearance is perceived as foreign, or on grounds of language or names.

*Since border controls were introduced, 300 men have been commanded to work with border operations, standing on the [Öresunds] bridge and carrying out checks. It's certainly not something I would choose to do myself. Privately, I think it's wrong. I don't think you should make it more difficult for asylum seekers. It's not a humane politics. Us police officers are the ones who are supposed to implement the decisions. This is something I definitely wouldn't like to work with. I'm glad I've not been posted there.*

The informant expresses joy at not having to implement what he perceives as an inhumane politics. He “privately” opposes that asylum seekers should be subject to the searchlight of the police at all. The argument constitutes a break with previous descriptions of objective and colour-blind police work that should be understood within the framework of a consensus perspective. The recognition of a relationship between police practices and political decisions allows for discussions from a conflict perspective. By extension, this enables an understanding of the role of the police in maintaining the privileges of certain groups at the expense of the rights of other groups. From a conflict perspective, the consequence of the political development is that the police, rather than preventing crime, must defend the administrative boundaries of the nation state through criminalising practices (cf. Chambliss, 1994; Durán, 2009). What the authority is required to do cannot solely be analysed on the basis of the goal to develop effective and sustainable approaches to crime prevention. Racial/ethnic profiling must instead be interpreted in relation to a political order that the police is tasked with monitoring (cf. van der Leun & van der Woude, 2011; Fassin, 2013).

### ***A discussion: Place, not race/ethnicity***

While the war on terror and efforts to identify people without a legal right to enter or remain in the country legitimise the police directing its focus on ethnic minorities and racialised groups, another logic emerges in relation to traditional street crime. At the intersection of dismissing and acknowledging the existence of racial/ethnic profiling, many police officers return to the significance of place (cf. Bass, 2001; Meehan & Ponder, 2002). The informant below refers to Rosengård as a “classic example”, but the reasoning has a bearing on the majority of the 61 residential areas identified as particularly vulnerable (The Police, 2017).

*Let's take Rosengård, which is a classic example. People there are from two hundred nationalities. A vast majority are foreign-born or have foreign-born parents. And, of course, if one is focusing on Rosengård because something has happened there, people of foreign origin are going to be checked to a greater extent.*

The statement illustrates a recurring reasoning that both explains and legitimises why ethnic minorities and racialised groups are “checked to a greater extent”. The police is simply focusing its resources in places where “something has happened”.

On the one hand, place thus allows informants to legitimise and explain that “people of foreign origin” are stopped and checked by the police to a greater extent than others. On the other hand, this is disconnected from both race/ethnicity as well as questions about structural discrimination and racism (cf. Roh & Robinson 2009; Renauer 2012).

***”Of course, if one is focusing on Rosengård because something has happened there, people of foreign origin are going to be checked to a greater extent.”***

*I think that the question is made narrower [when the concept of race/ethnicity is used in relation to profiling]. It's possible that it exists somewhere, that it becomes the effect. As a result of people being lumped together this way, not being given the conditions for living. That's when crime runs rampant. Then you end up with lots of young people who are unable to cope in school and get a job. We work against individuals. They may be of foreign origin, as they are the ones who live in the suburbs. If we work on financial crime, we might end up in Djursholm. There, business men sit and con society out of really big money.*

The informant opposes the premise of the report. The criticism is based on a notion that the study subscribes to a narrow definition of racial/ethnic profiling, in which race/ethnicity is the only factor leading to interventions (cf. Ramirez, Hoopes & Quinlan, 2003). This is what he refers to when he describes how “the question is made narrower”. What the informant is bringing forth is that race/ethnicity enters into police work as a consequence of socio-economic factors. Issues of class are manifested in place: people with “little conditions for living”, most of whom are of foreign origin, get “lumped together” in specific neighbourhoods where crime “runs rampant”. The reasoning can be said to originate in a broad definition of racial/ethnic profiling. According to the informant, the consequence of the way the police shines its spotlight on traditional street crime is that those sitting on the “really big money” remain in the shadows (cf. Chambliss, 1994).

*Police officers spend their time in public places to prevent crime. We're mainly in areas where people are socially disadvantaged and have a low income. Ethnicity has to do with it all. Because it's mainly immigrants who live in these places. (...) Calling it racial profiling is difficult. You can't complain that it's racist. We have to be there. All indicators of where crimes are committed and where people are unsafe show that this is a hotspot. That's where we should be.*

This informant also opposes the premise of the study: “Calling it racial profiling is difficult.” At the same time, an understanding of race/ethnicity as a factor in police work is part of the reasoning. Research based on a broad definition of racial/ethnic profiling often speaks of the effect place has on the phenomenon, and argue that police practices may be discriminatory in their outcome. The informant argues that the police’s focus on “mainly immigrants” is necessary, as they often

**Even more crucial is how the police relates to the places they choose to focus their resources in, i.e. the strategies that are being developed on-site.**

live in places where crime and insecurity are high. Another interpretation of the argument is that a racialised law enforcement agenda is strengthened and that structural discrimination is legitimised by extension (cf.

SOU, 2005: 69). If the police, as a result of “indicators of where crimes are committed”, focuses on areas where ethnic minorities and racialised groups live, it will have consequences for crime statistics. The critical issue is to investigate the impact of increased and decreased police control for specific areas. A reasonable assumption is that there is a strong correlation between the presence/absence of the police and the number of offences that are detected, not least with regard to less serious offences. Even more crucial is how the police relates to the places they choose to focus their resources in, i.e. the strategies that are being developed on-site.

*When we know that there’s a criminal presence in a suburb, we make decisions about measures. We don’t look at whether they are Chileans, whether they’re from Nigeria or Finland. We determine the measures in relation to the area. For example, stopping cars. We learn pretty fast that groups of robbers might like to drive the Audi RS6. The profiling we’re doing then is stopping all the bad-boy Audis in an area.*

Several informants in previous chapters who speak of being subjected to racial/ethnic profiling highlight that it happened while they were driving. Even though the police claims that they do not determine actions based on what country people in certain areas come from,

location and race/ethnicity are analytically linked and difficult to separate. Big cities in Sweden are simply segregated. The informant above describes a police strategy that is developed when the authority becomes aware that “there is a criminal presence in a suburb”. In connection to this, actions are determined: “The profiling that we’re doing then is stopping all the bad-boy Audis in an area.” Specific cars that signal a criminal style function as markers which the police decides to act on (cf. Piliavin & Briar, 1967). Similar statements concerning the relationship between place, vehicle, and who gets stopped can be found in other interview studies with Swedish police officers. Owning an expensive car and living in a marginalised residential area comes with an increased risk of being subjected to routine checks (cf. Östlund, 2013). The informant thus confirms that there is a relationship between place and bodies under suspicion, even when the person in question has not committed a crime. Several police officers are aware of the problematics resulting from this.

*When it gets like in Rinkeby. This feeling that people walk around shooting each other dead once a day. Then we need to be increasing the pressure. (...) The problem is that we can never fish in such a way that we only catch the bad ones in the net. Unfortunately, we have to check people who don’t actually have anything to do with it. But it can’t be the case that you’re always checked, just because you live in an area. In that case, I understand the feeling of injustice. That you feel like you’re being checked because your car is too nice for the area. That you feel like it has to do with your ethnic background.*

To distinguish the “bad ones” from law-abiding citizens is essential for the success of the police. The problem is that their net is not fine enough: “Unfortunately, we have to check people who don’t actually have anything to do with it.” The consequence of “increasing the pressure” is that it could add to “the feeling of injustice”, that people perceive the checks as having “to do with your ethnic background”. A focus on place makes it possible to discuss racial/ethnic profiling on the basis of the logic of the police.



## 8. CONCLUDING DISCUSSION

There is a need for more research on racial/ethnic profiling in Sweden. Several of the studies referred to in the report are based on empirical data reaching more than a decade back in time (cf. Hydén & Lundberg, 2004; Petterson, 2005). A few of the studies are more recent (Peterson & Åkerström, 2013; EU-MIDIS, 2017). But more quantitative and qualitative studies are required for an understanding of racial/ethnic profiling in all its complexity. This way, changes over time, but also regional differences, could be better identified. A greater understanding is required of how the phenomenon affects ethnic minorities and racialised groups. How does racial/ethnic profiling differ in urban and rural contexts? What are the consequences of registration, counter-terrorism efforts, external and internal immigration controls, and law enforcement strategies targeted on marginalised residential areas?

In public debate, issues of race/ethnicity have a prominent place. Some try to downplay its role, others understand it as central. Informants belonging to ethnic minorities and racialised groups are aware that they are treated in a suspicious manner because of how they are read in specific locations, in specific situations. This also happens when the informants themselves become victims of crime. The police must therefore be studied as an institution which maintains unequal power relations through racial/ethnic profiling.

The study suggests that the phenomenon is primarily noticeable in people's everyday lives. Informants mainly recount routine checks, which, for some, have taken place from an early age. They describe being stopped several times a month, sometimes several times on

**The study suggests that the phenomenon is primarily noticeable in people's everyday lives. Informants mainly recount routine checks, which, for some, have taken place from an early age. They describe being stopped several times a month, sometimes several times on the same day.**

the same day. Stories of encounters with the police often end with a comment on how what has occurred is not exceptional. Each individual situation is open to interpretation. Sometimes it is even difficult for the informants themselves to determine why the police has stopped them. However, the interaction with the

authority is interpreted based on the accumulation of experiences in which race/ethnicity has made itself felt through looks, questions, and comments. These observations are consistent with international studies on the subject (cf. Covington, 2001, Bonikowski, 2004; Glover, 2009; Colacicchi, 2008; Meeks, 2010).

The crucial tension in the material is related to the understanding of the role of racism in society and in the police force's work. The police officers who have been interviewed navigate with a compass that reduces racial/ethnic profiling to an anomaly. The colour-blind position that dominates is closely linked to an understanding of the category of race/ethnicity as something trivial and innocuous in professional practice. There are parallels between the way police officers are opposing the premise of the study and similar studies in other parts of the world:

*Many police officers consider raising the issue of racial or ethnic profiling to be nothing less than a direct accusation of police racism – both generally and personally. They feel that those who discuss the subject do so in order to imply that all police officers are racists and perform their duties in a racist fashion. Officers feel the sting of this accusation keenly. (...) The most effective response to this type of thinking has been to take the focus off the behaviour of individual officers, and instead to take aim at racial profiling as an institutional problem (Harris, 2006: 226-227).*

The police informants' arguments about human error and individual bad apples create an opening for a discussion of experiences of racial/ethnic profiling. However, it is limited by the fact that the problem is turned into a question of violations by individual police officers. But an acknowledgement of shortcomings in terms of structures, directives, and practices within the police organisation offers an opportunity to take the discussion a step further. Statements about the consequences of the police focusing on areas where mainly ethnic minorities and racialised groups live allow for a discussion of racial/ethnic profiling in which the institutional framework becomes visible (cf. Baas, 2001; Lynch, et al., 2013). Informants do describe how they can be stopped anywhere, not just in their residential areas. The fact that race/ethnicity is attributed an indirect role through the significance of place complicates a discussion about the underlying structures, racism, and discrimination that regulate people's living conditions. At the same time, the argument about place has potential. According to the logic of the police, this might explain many of the experiences that the informants who are victims of racial/ethnic profiling describe. Suspicion is organised by location. Place as an analytical category can therefore be seen as the key to a conversation about structures, institutional practices, and its consequences.

This conversation is in turn linked to the interest in the issue of racial/ethnic profiling among those responsible. In the end, it is a political issue. Racial/ethnic profiling must be interpreted in relation to the dominant agenda (cf. van der Leun & van der Woude, 2011; Fassin, 2013). Some tasks that fall to the police specifically target ethnic minorities and racialised groups. The study shows that the police is aware of the relationship between political decisions and the groups on which the police directs its searchlight.

The informants have differing views on the importance of race/ethnicity in police work. But they are consistent in their vision of a professional body with legitimacy in society. Both the interviewed police officers and

**The need for a functioning authority is thus no dividing line.**

the victims of profiling stress the importance of a fair judicial process. People must be able to trust that the State offers protection against crime. The work of the police is made more difficult by the fact that ethnic minorities and racialised groups lose confidence in the authority and are therefore not prepared to cooperate through testimony and reports. The need for a functioning authority is thus no dividing line.

*Research consistently shows that whites and minorities want the same thing from the police: fair treatment. Minorities are, however, more apt to say that historically they have been treated unfairly and that they do not receive fair treatment even now. This perceived unfairness leads to lower legitimacy ratings, less deference to the law among minorities, and lower levels of cooperation with the police (Schulhofer, Tyler, & Huq, 2011: 374).*

Can this legitimacy prevent the occurrence of racial/ethnic profiling and, if so, how may it be achieved? The report does not offer answers to these questions. But people who are exposed to the phenomenon testify that disproportionate control and surveillance of specific groups and locations, registration on the basis of race/ethnicity, the routine-like suspicion of people, unexplainable police checks, taunts and threats of violence, the prioritisation of stopping people for minor offences while more serious crimes are committed, and the unwillingness to recognise and address racism within the force are factors that not only weaken the legitimacy of the police, but also produce traumas, in individuals and in society.

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Civil Rights Defenders is an international human rights organisation. We defend people's civil and political rights in the world's most repressive regions and act as Sweden's local civil rights watchdog group.