

Research Project "Police Use of Excessive Force in Germany"
Second Interim Report

Racism and Experiences of Discrimination Regarding Police Use of Force

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Study Design and Aims of Research

The second interim report analyses qualitative and quantitative data from the DFG-funded research project "Police Use of Excessive Force" regarding the experiences of participants with migrant backgrounds and People of Color (PoC). The project's data collection encompassed an online survey (N = 3,373) of those who had been affected by police use of force they considered unlawful, as well as interviews with experts from within the police and civil society (N = 17). Although the project did not primarily focus on the issue of racism and police, it generated data on experiences of discrimination in the context of police use of force. The report evaluates these results and compares them with the current state of research.

The data allows for us to discern in what way the experiences of people with migrant backgrounds and PoC differ from the experiences of those without such backgrounds. Important findings also came from comparing the point of view of those affected and the police. Due to lack of a representative sample of population, the present analysis cannot make a statement regarding the frequency in which people with migrant background and PoC in Germany are affected by illegal use of police force compared to people without migrant background or white people.

Findings on Victims' Experiences

The results show that PoC and people with migrant backgrounds were affected differently by police use of force they classified as unlawful, and that they perceived incidents differently than white people or people without migrant backgrounds.

Police stops: The quantitative victim survey indicates that PoC in particular reported more police contacts due to police stops. Looking at encounters unrelated to mass events (e.g. Police calls due to private conflicts, arrests, traffic controls), 28% of PoC said the reason for the encounter was being personally stopped and checked, while for white people it was only 14%. During the qualitative interviews, experts pointed out the specific issue of police stops without suspicion or cause. They explained how such situations can lead to violent escalation. Especially when those affected complain about police measures they perceive as racist, this can trigger police use of force, as respondents reported.

Different and more frequent experiences of discrimination: Experiences of discrimination made by PoC differ significantly from the experiences made by white participants. 62% of PoC felt discriminated during the encounter, more than people with (42%) or without migration background (31%). Among other things, the frequency of these experiences led PoC to believe they were being treated differently because of phenotypical characteristics and thus based on racist prejudice. The results also showed differences in people with and without migrant backgrounds, albeit less pronounced.

Graver mental effects: Participants with migrant backgrounds and PoC on average reported graver mental effects of police use of force than people without such backgrounds and white people.

Victims rarely report incidents to the police: Both white and non-white participants mostly did not report the incidents to the police (in total only 9%). However, reasons for this varied. PoC said they had been advised against doing so (e.g. by friends and family, lawyers or counselling services) more often than white participants did. In their interviews, experts in victim counselling emphasized the low prospects of success, the high probability of counter charges being filed by the police, the mental strain, and the fact that the police partly refuse to even record such charges.

Findings on Police Perception and Attitudes

In conjunction with the current state of research, the interviews show that from a police point of view and contrary to the perception of those affected, these situations and distinctions are often not perceived as racist or discriminatory treatment. This leads to a discrepancy in perception and assessment of relevant events between those affected and the police.

The major role of practical, experiential knowledge: Police officers rely on their practical, experiential knowledge in their daily work, e.g. when conducting identity checks. This knowledge includes specific, sometimes culturalised ascriptions towards certain groups, and turns problematic when general characteristics (such as lacking acceptance of the police, differing moral values, or high crime rates) are attributed to people or groups and police decision making is influenced by these attributions. An example of this is when PoC are perceived as more dangerous or suspicious than white people and are thus treated differently.

Spatialised police conduct: Similarly, spatialised police conduct ascribes negative characteristics to certain locations (such as so-called social hotspots or danger zones) and the people within them, thus influencing operational decision making.

Officers are not necessarily aware of stereotypes they employ: Police officers are not necessarily aware of such stereotypes, as they can be unconsciously conveyed through social learning, prior (negative) experiences, or official assignments.

Discrimination and Racism as Individual and Societal Issues

Discrimination as structural issue: The findings indicate that discrimination of PoC and people with migrant backgrounds is not mainly an individual issue concerning certain officers, but constitutes a structural problem within police practice as well. This does not imply that the police are affected in their entirety, or purposefully act this way. Rather, it is a structural problem because neither the origin of practical knowledge and spatialised conduct, nor subconscious stereotypes are incidental in the individual officer, but arise out of the structures of the police as an organization as well (such as its duties and activities, their implementation, and the handling of errors and flaws).

Explicit racism: Additionally, the analysis offered indications of deliberate racist attitudes and intentional racist acts by police officers that generally disparaged and purposefully disadvantaged people with migrant backgrounds and particularly PoC. Several participants of the victim survey reported explicit racist, antisemitic or antimuslim remarks or insults. A few of the interviewed police officers described such behavior by colleagues. The data does not allow for a general assessment of how pervasive this issue is within the German police, though.

Raising awareness on racism as a societal phenomenon: Finally, it must be taken into account that racism is not an issue of the police alone, but an overall societal and daily phenomenon - albeit with a specific impact regarding the police as carrier of the state's monopoly on the use of force. From the point of view of the experts from civil society, society as a whole has to be sensitized towards racism, while this is considered especially important within the police due to a particular lack of awareness.

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