

“They Walk Like the State”

Police harassment on the streets of Vienna

In June 2017 the initiative ‘Kieberei, was geht!?’ (Cops, What’s Up!?) started a small research project with the intention to make the impacts of ‘stop and search’ practices of the police visible. The focus lies on the effects police harassment and ‘stop and search’ have on the everyday lives of those ‘affected’. As ‘affected’ we understand people who are repeatedly subject to police harassment, but also those who are bothered by the massive police presence. In this exhibition we bring together the experiences of our interview partners with the topics we have been engaging with for some time: racial profiling, violence within the police and the justice apparatus, possibilities to show solidarity and to resist, as well as approaches to a city without police.

What is the exhibition about? We collected experiences of people affected by police harassment on the basis of a questionnaire: How often and where are people being stopped and searched? How do they experience police harassment and what effects do these have on their everyday lives? The aim is to give space to strategies, opinions and viewpoints of people affected. What is their opinion on the police and police presence on Vienna’s streets? What alternatives to police and control can they imagine? How would they imagine a city without police?

How did we gather our data? In most cases the questionnaires were used as the basis for an interview, whereby we wrote the answers down. In a few cases, our interview partners filled in the questionnaire by themselves.

Who did we ask? In total 42 people participated in the survey. We talked to 22 participants who identify as male and to 17 who identify as female. 3 people did not specify their gender. More than half of our interview partners were between 13 and 22 years old. The others – except for one participant – were under 42 years old.

Where did we interview people? The survey took place in several locations in Vienna. The focus was on spaces around the U6 underground stations and close to the ‘Gürtel’ - for example Yppenplatz, Vogelweidpark, Märzpark and the underground stations Josefstädterstraße and Burggasse/Stadthalle, due to the strong police presence there.

A starting point: This exhibition is only a first step. We want to continue to collect views and opinions on police and police harassment in Vienna – especially visions and ideas for a city without police. If you want to participate:

- ... fill in a questionnaire
- ... tell us that you want to be interviewed
- ... share your experiences with police harassments with us: wasgeht@riseup.net
- ... write to us on Twitter via @NoCopsVie or contribute to #NoCopsVie

‘Kieberei, was geht!?’ (Cops, What’s Up!?) - Initiative against Police on our Streets’ provides legal information and documents police harassment by collecting accounts of experiences with the police. It was founded in spring 2016 out of the need to intervene against massive police harassment, especially against people of colour. The reason was the introduction of a stricter drug law, with which racist ‘stop and search’ practices were becoming more visible and normalised. The initiative not only intervenes against racist police harassment, but against all forms of police on our streets: No police is a solution too!

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The biggest part of our life consist of everyday actions: Places we visit every day, paths we take every day, daily routines and activities, people we meet on a regular basis. These are a defining part of how we feel in the space we live in and how familiar our surrounding is to us. Everyday life also renders visible social structures. In spaces and experiences of the everyday the connection between our lives and social injustices becomes visible. Therefore it is important to show how police harassment and 'stop and search' practices affect the everyday life of the inhabitants of the city. Those affected by police harassment are not powerless: they develop their own strategies to deal with them.

Scenes of everyday life

Our survey showed the extent to which police harassment affects and limits people in their everyday life. People told us that they are harassment by the police on a daily basis, or two to three times a week. Stop and search takes up a lot of time and can cause problems with jobs as well as leisure activities. One person told us about her husband, who was late for work because of being stopped and searched and as a consequence got into trouble at work. Therefore some decide to take detours in order to avoid places where they could be stopped and searched. Police harassment also has effects on relationships. One person talked about having stopped meeting their friends, as these are labeled suspicious and are targeted by police harassment based on the color of their skin. Another interview partner said that they avoid the underground station Josefstädterstraße, so that their grandmother does not have to watch them being stopped by the police from her window. They do not want to worry her.

Police harassment is intimidating; it makes people feel nervous and insecure, ashamed or angry. Stop and search measures also leaves their marks on the ones witnessing them. Some are angered by police harassment, even if they are not targeted directly they feel limited. Being stopped and searched demands a high level of self-control of those affected. With the knowledge of their relative powerlessness regarding the police, they have to control and suppress their emotions.

Police harassment is effective. It affects people's feelings, but also influences their actions. It standardizes the behavior of people, as people affected have said. It creates 'good citizens' – Viennese people who behave decently and who conform and try to adopt societal norms. Some try to slip through the radar through adapting. But a few oppose and assert that they will not conform: 'We will smoke more weed and keep messing around!' asserts one group we have spoken to.

Quotes:

'I don't go to train station Praterstern anymore, I only take the metro to pass by. And him as well [pointing at person next to him], he is a good boy, but there, he would be singled out and stopped as well.'

'Every stop and search I see is an attack on my freedom.'

'My trainer saw me being stopped and searched by the police and because of that I wasn't allowed to join the kickboxing training for three month. I was not allowed to go to the fight in Serbia. My trainer said it is not good when I am seen with cops on the street.'

'My father was stopped and searched by the police. They were very strict with him. They took him with them. [...] it made me feel very bad.'

'I hate it when they shout at me. I want to hit them, but I know I'm not allowed to. I have to control myself. It's very bad when they scream. I get very aggressive, but I control myself.'

'Every day they stopped me at the metro station. Now I shaved off my beard and this morning, they did not stop me. Let's see how it continues...'

Why were you stopped and searched? 'For peculiar reasons like racial profiling', one person states the reason as clearly motivated by racism. A large part of the answers point towards racist motives: 'They mostly look at your skin color.' Also hostility towards migrants is named as a motive: 'Because there are more refugees now.' Answers such as 'because I was standing in front of the mosque' point at mundane actions, seen as suspicious by the police if they are done by people of color, especially in locations marked as dangerous. People of color are conflated with the stereotype images of crime and migration, such as 'the black dealer' or the 'terrorist'. Therefore they are targeted much more frequently than members of the *white* majority of society. Not only people of color, but all people who do not fit the image of a nice and clean city, are targeted by repression.

'Cause I am Black?' – Who is stopped and searched

It is mainly men of color who are experiencing criminalization as drug dealers. Especially young men in public spaces are seen as a threat to public security. This does not mean that women or genderqueer people of color are not also targeted by police harassment. Different factors matter when being singled out by cops, such as gender, age, skin color and origin. Also poor people who are e.g. begging are often stopped and searched.

Police harassment is not simply the misconduct of single cops. They are part of a racist ideology, which is – just like violence – inherent to the institution of the police. The police is part of a society, in which racism is present in all structures. It is the police's job to uphold the power structures. Police violence is therefore normality, not exception. Police harassment and other forms of 'stop and search' measures are a clear signal to tell people that they are under surveillance, that they are not wanted here and that they can never feel completely safe.

When talking about security, the question is always whose safety we are talking about: Mostly, it is the safety of the white middle and upper class. Security for the majority means insecurity for others. It does not concern the safety of refugees, beggars, homeless people or sex workers. The police is supposed to be there to provide security, but in fact they make many people feel unsafe.

Quotes:

'Without a reason they are stopping all foreigners.'

'With no reason at all, because of my looks and my styling.'

'I think because I'm Brown, or Black. There were blonde people, but they didn't stop and search them, only me.'

'Simply because of the skin color or because of drug dealing.'

'They were against the Islamists.'

'Maybe because of the looks: Black hair, dark skin.'

Pic. 1: 'It started when I was 13 and dyed my hair green. I was taking something to a person living a couple of blocks away. I passed a metro station 'cause otherwise I would have had to wait at the traffic lights. Several cops surrounded me in the station Landstraße and started to question me (address, name, place of birth, name and occupation of parents and why I'm at the station. Then they also wanted information about the person I was heading to). I had to show my ID, on which I still had my natural hair color. So one of the cops started to insult me because of my looks and told me I was ugly. Then they searched all my bags and patted down my body. I didn't defend myself, as I had no experience with such things. No surprise at 13(!!!). When asking why they were doing that I didn't get an answer. This hasn't been the only incident. I've been sent away from the first district, because I'm allegedly disturbing the other people there with my looks. I experience 'stop and searches' and insults from cops on a regular basis and I'm not even 15 years old.'

Pic. 2: 'They handcuffed me and took me to the station. They found no drugs on me and they took 40 Euros from me and wrote a paper that said I'm aggressive. And when I said I want my money back, they handcuffed me again and took another 40 Euros. Then they took me to another station and I had to sleep there and also stay the next day. Then a translator came.'

Pic. 3: 'Some are mean and shout at you: 'You are a foreigner, Afghan, you're only causing trouble.' Sometimes they are nice, but when I say something, there is always trouble.'

'ID control!'

'Last Friday evening, I was in a café at the Gürtel with some friends. We talked and drank beer. I had to leave around 10:30 pm and said goodbye to my friends. Just a few meters from the exit, around ten meters, the police stopped me. One cop suddenly stood in front of me with open arms and said: Stop. He frightened me and he felt good doing so. Then ten other cops joined him. One of them said: 'We saw that you hid something.' I said: 'No, what are you talking about?' One cop said: 'This guy at the entrance that you just passed, he gave you something. We saw it.' I said: 'No, I don't know him. I don't know what you're talking about!' They took me and the other man into the stairwell of a house. I think the police has a key with which they can enter all houses. They asked me again: 'Where are you hiding it?' And I repeated: 'I don't know what you are talking about. You can ask my friends, they are still at the café.' They said they don't care, because they saw that I got something from this guy and hid it. Then they searched me. I had to lift my hands and they searched my whole body. Then they searched my bag. Then they said I had to take off my clothes. I took off my jacket and my pants. And they even searched my underwear. It was dark and they were blinding me the entire time with their flashlight, flashing into my eyes. Then they asked for my ID and checked it. They were checking the other man about ten meters next to me. They searched me for about ten minutes. After ten minutes, they said again: 'We saw how you hid something. Tell us where you hid it!' I told them again: 'Look, you just searched me and didn't find anything.' I was in this staircase for an hour and they wouldn't let me go. After an hour they let me go and told me: 'Sorry, we thought that you are Afghan, they are causing a lot of trouble!' They were still searching the other man when I was leaving.'

Pic. 4: 'They handcuffed me and kicked my legs so I fell on the floor. They took me to a random building inside the staircase and beat me up there.'

Pic. 5: 'Six (!) cops at the metro station Thaliastraße in a circle around a *Black* man. After 15 minutes the cops leave and let the young man go. He tells me that he came out of the metro and was stopped by the cops. They searched him and checked his papers and his resident permit.'

Violent situations are experienced differently when people see the opportunity to act against the experienced violence. Whether they feel completely helpless or see some room for agency, or know of possibilities how to act against the experienced injustice after it happened, makes a big difference to getting through a situation as unharmed as possible. Whether people see the possibility to defend themselves does not only influence as how traumatizing such situations are experienced, but also how they see their own position within a society. Whether or not I see the option of fighting back influences whether I see the possibility to act and shape my own life.

Fighting back

There was a wide range of possibilities people we interviewed saw in fighting police harassment. Whether they themselves had been subjected to 'stop and search' practices or not did not have an influence on their responses. Many do not see any possibilities to fight against police harassment, often because they are convinced that as refugees or because of the color of their skin they do not have the possibility or right to do so. They simply try to survive the 'stop and search' without taking any harm. Even to object is seen as potentially dangerous. They experience the police as so overpowering that there is no possibility to resist. They often articulated a feeling of powerlessness; every emotion needs to be suppressed during the harassment in order to avoid any negative consequences.

Again others who we talked to did see possibilities to resist unfair treatment by the police. Some point out that it is important to stay calm and to ask why they are being stopped. To ask politely is experienced by them as remaining superior and having at least some options. Sometimes ideas about how people can resist remain rather vague. They guess that there is a possibility to 'call someone' or 'complain somewhere'. The possibility of taking a lawyer or other legal means has been mentioned, although no one knew how exactly that would work. Others, mainly younger people, have more vigorous actions in mind. They propose to run, to shout at or to hit the cops. None of our interview partners knew of the existing legal measures such as the 'Maßnahmenbeschwerde' (complaints against measures by the authority).

Quotes:

'With refugees it's always like that. There is nothing you can do about it.'

'Complain. But where?'

'Try to appear intelligent and calm? and not to be a smartass'

'If you try to defend yourself with words, they arrest you immediately. And if you hit the police, you are fucked.'

From the street to the court room

Since the introduction of paragraph 27(2) of the drug law in the year 2016, police harassment has massively increased in Vienna. This paragraph introduces drug dealing in public spaces as a separate crime that can be punished harder than, e.g. dealing in private spaces. The paragraph legitimizes racist 'stop and search' practices and mainly targets men of color as alleged drug dealers. Our observations of 'dealing in public spaces' trials show that police violence reaches into the courtroom. From observing and stopping and searching, prosecuting and arresting, to interrogating and investigating, the police influences the sentencing and penalties. Cops are witnesses in court and protocols of police interrogations play an important role in court.

In court it becomes obvious how *Black* people on the street are marked as 'suspects'. With people of color in spaces that are constructed as 'hot spots', all everyday actions become 'suspicious' and somehow related to drugs. The accused indicate that the police are inserting pressure on them to confess during interrogations: 'He told me that if I want to go free, I should just say that it's mine', says L., a 'suspect' of color. In other cases it becomes clear that a person accused of drug dealing did not have a translator present during his interrogation at the police station and did not understand what he was signing. During the court hearings the protocols of the interrogation are seen as more credible than what the accused is stating in court.

The statements of cops are almost always believed, even if they are contradictory or if they are the only basis for the accusation, as the following protocol illustrates: 'That there are no finger prints on it doesn't say anything. The statements of the police officers were quite clear. Therefore a confession would be important', states the prosecutor. If the accused disagrees with the police witnesses, he may be threatened with further charges: 'He has to be careful that he does not receive a slander charge', says the judge after an accused of color questions the statement of a cop.

Judge and state prosecutor continue the racist investigations of the police. If a person accused of drug dealing points at the racism behind the 'stop and search', they are rebuked and the racism is denied.

Quotes:

The police witness: 'I wanted to continue observing, I was standing at the plateau at Thaliastraße and there he was standing already and showing very aggressively that he wanted to sell substances (drugs?).'

Judge: 'How so?'

Police witness: 'By nodding.'

Judge: 'Did that appear quite professional?'

Police witness: 'Yes.'

'Tell him [meaning the accused B.] only one thing', says the *white* judge to the translator, 'I was at his pre-trial interrogation - this doesn't have to go into the protocol - it very much disturbed me that you said that you were only stopped because you are Black. You should not say this if it is not true.' After a short break she tells the protocol writer not to record this comment.

Cat: Shhhh! Don't talk to the cops! Don't sign anything!

Murder and severe abuse

The following (incomplete) list contains all documented murders and severe mistreatments we could find for the period between 1996 and early 2018.

24 April 1996: Nicola and Violetta J. are abused by about 30 police officers

About 30 police officers entered the home of Nicola and Violetta J. without an arrest or search warrant. Nicola and Violetta J. were verbally abused, hit, humiliated and arrested in front of their children and neighbours.

1 May 1999: Markus Omofuma is murdered during deportation

Markus Omofuma died at the age of 25 on the flight from Vienna to Sofia when being deported. He was tied down by his hands and feet, his mouth was sealed with gaffer tape. He was carried into the aircraft by three police officers, where he was tied to the seat and his head was fixated onto the headrest. He suffocated shortly after as a result.

3 May 2000: Richard Ibekwe dies in the juvenile prison in Rüdengasse

Richard Ibekwe was arrested during a raid on 29 April 2000 based on suspicions of drug trafficking. He was taken to the juvenile prison in Rüdengasse, where he was abused. Despite health risks he did not receive medical attention. Richard Ibekwe died after four days in prison in the early hours of 3 May 2000 – allegedly due to opiate poisoning. The exact circumstances of his death are still unknown.

4 May 2000: Lubomir dies in the police department Wien-Landstraße

Lubomir, a 40-year-old man, died in his cell at the police department Wien-Landstraße. His death was only made public on 12 May. The police have stated that he died as a consequence of drug abuse, there has been no evidence put forward so far.

19 May 2000: Imre Bartos shot by policeman carrying his private weapon

Imre Bartos was shot by a policeman carrying his private gun. The unarmed Bartos is said to have been sitting in his parking car, his hands on the steering wheel. He has allegedly died because of an accidental release of the gun. The shot was declared unlawful, yet there have been no consequences for the perpetrator.

20 May 2000: Several severely injured after attack on protesters by the police

As a reaction to a series of deadly police assaults a spontaneous protest was held against police violence. 24 people were closed in on Michaelerplatz and were beaten over more than three hours. At least four people were severely injured.

May 2000: Young man held to the ground suffocates

A young man had seemed suspicious to a police patrol when standing next to a cash machine. When trying to run away he was overpowered by the police, and was fixated to the ground face down. He died despite calling for help.

14 July 2003: Seibane Wague fixated to death

Ten police officers and paramedics from the Red Cross fixed Seibane Wague to the ground. He died as a consequence. The police justified their behaviour with a lack of sufficient training.

7 April 2006: Bakari J. tortured by WEGA police officers

Four cops of the special unit WEGA abused Bakari J who had tried to prevent his deportation. They took him to an abandoned storehouse, tortured him and threatened to shoot him.

8 August 2008: Man shot dead when trying to flee

When trying to steal a motorcycle a 46-year-old man was shot by a police officer in Wezeldsdorf (district Korneuburg).

11 February 2009: Mike B. beaten by police

Two police officers beat the Afro-American teacher Mike B. in an underground station to an extent that he had to be hospitalized. They later claimed they had mistaken him for a drug dealer.

August 2009: Florian P. shot by policeman

When fleeing from a supermarket, which he had tried to break into, Florian P. was shot in the back by a cop. The police officer received a conditional sentence for negligent homicide.

19 July 2010: Reza Haidari kills himself in the detention center Hernalser Gürtel

Traumatized 16-year-old Reza Haidari was detained in order to be deported. He died from the consequences of an attempted suicide, which had taken place in the night of the 4 June in the detention center.

27 September 2012: Zelimkhan Isakov dies in detention

35-year-old Zelimkhan Isakov, whose asylum claim had been refused, was taken to the detention centre when being subject to a routine 'stop and search'. He died in detention after complaining again and again about health problems, which were not clarified by health examinations, aka an ECG.

November 2012: Mitat Ü. beaten by police

When Mitat Ü. verbally resisted insults of a police officer during a traffic check, he was thrown to the ground, choked with a scarf and kicked. He had to spend the night in a cell without receiving medical treatment. On the next day the eight fractures were detected.

7 June 2013: Mentally ill man shot dead

A man attacked eight WEGA police officers in a narrow staircase with a knife. Four of the police officers shot at him 20 times. The prosecution of the police officers was stopped the following year.

3 July 2014: 21-year-old shot during flight

A 21-year-old man, who had tried to rob a petrol station in Wiener Neustadt, tried to flee and was held by the police as a part of the resulting manhunt in Neunkirchen. Because he pointed his shotgun at the police officers, they shot at him. The 21-year-old died at the location, hit by several bullets.

1 January 2015: Woman severely injured by police

At New Year's Eve a 47-year-old woman was aggressively thrown to the ground by police officers when refusing to take an alcohol test. She was then insulted, abused and kicked by 10 further police officers. Severely injured she had to spend the night in a padded cell in prison without receiving medical treatment.

19 January 2015: 42-year-old arrested and abused at Praterstern

When getting involved in the interaction between the police and a homeless person at Praterstern, a 42-year-old man was singled out and stopped by cops. When insisting on getting to know the ID number of the cop involved, he was hit on the head twice. He was then taken to the police department, where he was thrown to the ground, beaten and kicked against the head. Five days later he was diagnosed with injuries to the face, multiple hematomas, concussion to the brain, spinal contusion and a ruptured ear drum.

As police harassment has a considerable negative effect on the lives of many people living in Vienna. Question around potential alternatives to the police become increasingly important. For many people at the moment, a city without police is hard to imagine. Many wish for a friendlier police, which treats everyone the same. The police, however, is acting on behalf of those more privileged. Marginalized and lower income populations are subject to police harassment. Therefore, reforming the police is not enough. We need positive visions of how a city without police could look like and function. The idea of societies without police is by no means new. Many ideas, initiatives and examples already exist that show how it can work.

Brave little steps towards a city without police

Three parallel steps for a world without police

1) Disempower: Meaning less power for the police and more power to us. It means helping one another and learning how to solve conflicts together. We need to organize against police violence, to start campaigns in neighborhoods to encourage people not to talk to the cops. Cop-watch initiatives can monitor the police, intervene in (racist) police harassment, and encourage everyone to show solidarity and not to leave anyone alone with the cops.

2) Disarm: The police is equipped with weapons and control and surveillance technology. To disarm means to protest against budget increases of police units and against the collaboration of the police, military and private security firms. Disarming also means to communicate safely (e.g. use encrypted e-mails), to boycott social media channels of cops and to expose plainclothes cops.

3) Disband: It is necessary to take common responsibility and to think about who defines and who is meant when we talk about criminality, conflict, punishment, justice and safety. How are these terms connected to power relations, discrimination and racism today? It is about asking the question whose safety counts and how we can get to the point where everyone's safety counts equally!

Transformative Justice: This approach is not about punishment, but about focusing on the needs of the person affected by violence. Experienced harm and pain is dealt with as much as possible. Processes of transformative justice aim to understand why something has happened and they try, in a dialogue with everyone involved, to find a solution in which responsibility is taken. The goal is to avoid something similar from occurring again.

Neighborhood assemblies: Neighborhood assemblies are taking place in various cities. They aim at self-organization of the community in order to solve problems together – without the police. This includes fighting gentrifying projects, the construction of new prisons or organizing against evictions. It also means to organize in order to protect people of color and queer people from assaults.

Solving problems without the cops: Sharing knowledge on how people can intervene in delicate everyday situations without calling the cops: For example if there is noise from the flat next door, don't call the cops but try and talk with your neighbor. Always carry a list of numbers with you of who you could call in the case of an emergency. It also means to question when you think you are observing 'suspicious behavior' whether this perception is not just based on your own prejudices. It also means to support one another if someone needs help, and to first ask how you can help instead of calling the cops.