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Are the Swedish police racially biased? A study about potential racial profiling by Swedish Police Authority

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Supervisor: Kjell Nilsson

Abstract

Racial profiling is something that has been occurring in different contexts and countries for decades. When discussing the topic, it usually refers to the police authority conducting direct or indirect racial profiling of individuals who seem suspicious or that have foreign appearance compared to the native population. My focus is specifically on the recent debate of potential racial profiling by the Swedish Police Authority in Sweden that has been uncovered by the investigative TV programme “Kalla Fakta”. There is a lack of knowledge and research done on racial profiling in Sweden and therefore there is a relevance for this study to be conducted. Racial profiling has been going on previously with the REVA programme, Roma register and internal immigration controls. These programmes aimed to either through ID-controls find individuals who do not have asylum in Sweden and deport them, or it was about framing criminal networks. The aim of this compilation and comparative analysis of different studies and data sources is therefore to research and analyse if racial profiling by the Swedish police exists, and if so, how it affects the individual, community and police in Sweden, which is also the research question. The sub-question will be analysing possible solutions to avoiding or decreasing the use of racial profiling by law enforcement. The theories I will be using are conflict theory, consensus theory, critical race theory and focal concerns theory, since I deem them helpful and applicable for this topic since they explain how racial profiling occurs and why. The key conclusions are that the majority of Swedish law enforcement denies that there is a practice of racial profiling in their daily work, even though they admit there are “bad” cops among them. This however does not rule out the evidence presented and solve the issue that many persons feel affected by racial profiling on a daily basis in Sweden.

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Popular Science Summary

Title: Are the Swedish police racially biased? A study about potential racial profiling by Swedish Police Authority

Racial profiling is not something new, since it has happened in different situations and countries for decades. Racial profiling is when the police picks out individuals who they want to stop and check (meaning question or/and body search due to possible criminal activities), because they have a different type of skin colour, race or origin compared to the majority of white citizens. My study will be focusing on the new discussions around the possibility of there being racial profiling done by the Swedish police, which has been revealed by the documentary series “Kalla Fakta”. There is not much studies about this exact topic and that is why a study like this is relevant and important to do. In Sweden, there has been programmes or projects such as the REVA programme, Roma register and inner immigration controls, which can be connected to racial profiling, since their goal was to either deport people who did not have asylum in the country or to map out criminal networks.

The main question I am studying is if the police in Sweden picks out individuals who they want to stop and check (meaning question or/and body search due to possible criminal activities), because they have a different type of skin colour, race or origin compared to the majority of white Swedish born citizens and what the consequences of racial profiling are for the persons being affected, the larger community or society and the police themselves. The sub-question I will be looking at is what solutions or explanations there are for solving or lowering the use of racial profiling for Swedish police.

The theories I will be using are conflict theory, consensus theory, critical race theory and focal concerns theory, since they are useful and relevant for explaining why and how racial profiling takes place. The biggest conclusions of this study are that most of the Swedish police says there is no racial profiling when they are working, even though they admit there are “bad” cops who might do it. This does not explain why there is many people who feel like they have been racially profiled multiple times in Sweden.

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List of Abbreviations

BRÅ – Crime Prevention Council¹

CEPOL - EU Agency for Law Enforcement Training

CRT – Critical Race Theory

DO- Equality Ombudsman²

DWB – Driving While Black (or brown)

FRA - European Union Agency for Fundamental Rights

NGO – Non-Governmental Organizations

REVA - Rule of law and effective implementation work³

SÄPO – Swedish Security Service⁴

¹ "Brottsförebyggande Rådet" in Swedish

² "Diskrimineringsombudsmannen" in Swedish

³ "Rättssäkert och effektivt verkställighetsarbete" in Swedish

⁴ "Säkerhetspolisen" in Swedish

1. Introduction and background

Racial or ethnic profiling occurs when law enforcement officers decide to utilize their position and power to target certain individuals. When choosing which individuals to target, criteria such as race, ethnicity and religion can influence the police officer's decision. Furthermore, the targeting can occur through several different practices such as ID-controls, traffic and pedestrian stops, raids, stop and search on a larger scale, data mining, surveillance, dispersion of groups, anti-radicalisation legislation and issuing arrests, detention or cautions (FRA, 2010:11).

The topic of racial profiling is an important issue to research, since it is something that affects most countries in the world, and due to the fact that it is not only law enforcement that is perceived to conduct such practices. Everything from job hiring, renting out accommodation to education and surveillance can contain some form of racial profiling and therefore there is a need to address those practices (FRA, 2018a:7). Racial profiling is very prominent and talked about in the US, since there have been several cases of law enforcement officers shooting unarmed African-American men, women and youth which is highly controversial considering that the police's duty is to protect its citizens (Teasley et al., 2018:1). This can be partially explained by the racism and discrimination that has risen in both US, but also in EU countries after the mass migration and influx of Syrians in 2015 due to the Syrian Civil War (Fisher, 2016).

Currently, the Swedish Police Authority do not recognise that their police officers use racial profiling in their work. This contradicts the narrative told by about 100 Swedish citizens with foreign background in the Kalla Fakta documentary "The blamed ones"⁵. They claim that they have been searched, stopped and sometimes forced to the ground for no obvious reason (Kalla Fakta, 2019).

The police authority in Sweden answered in response to the documentary that the Swedish police works under Swedish legislation, which says that ethnic/racial profiling is illegal. The police can occasionally due to confidentiality not speak about why some individuals were checked. In areas with higher crime rates, there is an increased police presence, which leads to more police checks occurring there (Eriksson, 2019). It is logical that the law enforcement

⁵ "de utpekade" in Swedish

would state that they do not conduct any racial profiling, since it would be breaking news in mass media if they admitted to conducting those practices. If one does not address the issue, then it might disappear from the public eye, and that might be what the Swedish Police Authority are trying to do (Cleary, 2000:9). It is a question of conflicting words between the police and victims of perceived racial profiling and who do you believe in that case? Random individuals or the law enforcement that is supposed to protect and serve? These are the questions one has to consider when conducting this type of study, even though my research question is different and is going to be presented below.

Since the information on racial profiling in Sweden is not too detailed or extensive, I will be including examples of programmes, case studies and legislations from both US and UK to better understand the concept of racial profiling. Programmes such as “Stop and Frisk” in the US, the REVA project, internal immigration controls and the Roma register in Sweden are examples of potential racial profiling being used in practice by law enforcement knowingly or unknowingly. Theories and ideas that can help explain racial profiling are also going to be presented throughout this thesis. The main aim of this thesis is not to produce new data, but to collect already existing data from other countries and contexts together with available studies and data from Sweden and apply it to the Swedish case due to the lack of data in the country.

This introduction will be further presented with the purpose and aims of the thesis. Thereafter, the problem formulation in the form of research question and sub-question of the thesis will be displayed. Lastly, the delimitations and the disposition of the thesis will be outlined.

1.1 Purpose and Aims

The main aim of this thesis is to collect, analyse and compare different types of existing secondary data available on this topic of racial profiling, and incorporate theories in relation to the empirical data that is found. In detail, it is to conduct a qualitative comparative analysis of different sources such as reports and articles through my different theoretical terms and concepts. And compare the empirical data between different countries, which in this case is Sweden, UK and US. I also want to spread information about this topic that might not be well-known to the mainstream public, since it is a recent discovered research area and there is just not enough scientific papers about it yet, which is agreed upon by various experts in this field (Mulinari, 2018).

I was influenced by both the Kalla Fakta documentary and Swedish news media coverages on racial profiling in Sweden, to conduct this study, since it is something that I have known about in previous cases like in the US, specifically the “Stop and Frisk” policy that was used in New York. Racial profiling is something that can affect a lot of people in both Sweden and other countries who have foreign-born parents or are born abroad as well, which makes it an even more compelling topic to choose.

The issue of racial profiling might be considered by some as not the biggest problem that the world is dealing with right now, however one can see in the worst case how it can lead to police shooting unarmed or non-violent African-American men like in the US, which can be occurring on the basis of racial profiling (Teasley et al., 2018:1). In the case of Sweden, these cases of perceived racial profiling have led to decreased trust for police and government agencies, which has major implications for community-government relationship (Toth, 2019). This will be further discussed in the paper in more detail.

I chose to include US and UK in this study, since there is an extensive amount of research done in the countries about racial profiling, which cannot be said about Sweden’s case. Some reports argue that Sweden is 40 years behind United Kingdom when it comes to racial profiling research (SVT, 2019).

The connection that this topic has to Welfare Policies and Management (WPM) and Sociology in particular, is that the issue of racial profiling is about socio-political themes such as migration, discrimination, criminology, racism, biases, prejudices, police practices and rights of marginalized people, which all add up to making this issue an important research area to analyse. I do not have a particular timeframe for this thesis topic, due to previously mentioned research gaps in Sweden. However, in Sweden the research either comes from sources or cases from the 2000s until now, while the sources about US or UK can be traced back to the 1990s.

The terms I use throughout the thesis are both racial profiling and ethnic profiling, since I see them as interchangeable. There are also groups like the Roma people who define themselves in relation to their ethnicity, and therefore they have gotten the status ethnic minority and that is why there is a need for including both terms (Mulinari, 2018). To explain possible victims of perceived racial profiling, I use the terms Afro-Swede for the context of Sweden, African-Americans and Latinos/Hispanics in the case of US, Black British in the UK, Muslims in the context of all countries, Roma people which usually refers to the ones in Sweden and Caucasian or whites which refers to the context of Sweden, US and UK. I have tried to use exact terms as

the cited literature and that do not seem offensive to anyone, since this topic is highly sensitive and needs to be studied in a delicate manner.

I use the wording perceived or possible racial profiling because the majority of police representatives have rebutted every instance or accusations of racial profiling done by them. In the footnotes I have the Swedish name of the organizations, projects and documentary names, since the English translation might not be found when searching for it.

1.2 Problem formulation - Research question and sub-question

I have decided to research possible racial/ethnic profiling by the Swedish Police Authority through analysing and answering the main research question and the sub-question. The main research question is important, however the sub-question is crucial as well, since it gives recommendations and possible solutions to what can be done in order to minimise the use of racial profiling:

Main research question:

Does racial profiling by the Swedish Police Authority exist and if so, how does it affect the individual, community and police in Sweden?

Sub-question:

What can the individual, the community and the Swedish Police Authority do to avoid or decrease situations of racial profiling from occurring?

I am aware of there not being several research questions, however I do not see that as a negative, since the ones I have are broad questions that will guide my thesis to be as extensive and encompassing of the topic as it can be in regards to the research in Sweden. I will be answering the main research question first, since it explains what basis and examples there are for ethnic/racial profiling being used by the police authority in Sweden and what the effects of it are. By effects I am specifically analysing what the consequences and benefits of racial profiling in Sweden are. The consequences and benefits are different depending on which actor you are focusing on. Hence, the answer of the main research question will be divided into 3 different categories: individual, community and police.

The sub-question is also important and will be answered after the main research question, since it will be researching the solutions to avoiding or decreasing cases of racial profiling. This question will also be divided into the three previously mentioned categories, since the question

becomes easier to follow and one can see what solutions different actors can affect and drive forward. The question will also bring up what Sweden can learn from other cases and countries, such as UK and US when it comes to dealing with racial profiling.

Both the research question and sub-question will be answered in the analysis, however, they will also be touched upon and discussed throughout the paper in sections such as theory and earlier research.

1.3 Delimitations

One of the delimitations is that the entire study will be based on qualitative comparative analysis methods, which will include various secondary data, even though quantitative data in the form of statistics will be used. There will not be a set timeframe, since the study looks at different years depending on country, legislation or project context. In Sweden for example, the topic of racial profiling was brought to light after it became mainstream in the US and UK, and it was influenced by the previous events occurring in the United States primarily.

After seeing the Kalla Fakta documentary, I do not see much possibility to interview individuals from the law enforcement, since it is a new and controversial issue that they might not want to talk about, especially with a master's student. One delimitation can be that there is a lack of police perspective on this issue, since they usually decline to answer any questions about racial profiling or they give similar answers of not conducting such practices. There is a lack of a nuanced discourse from Swedish Police Authority, however law enforcement from the other relevant countries mentioned can help in that case. With that being said, the interview method can be relevant to conduct for future studies depending on if the situation changes or not.

Other delimitations that affects this work is lack of resources in terms of my own contact network of relevant actors to contact in relation to this topic. The previously mentioned lack of data from Sweden's case can also be a limitation. However, for the frame of this thesis, those two factors do not have a major role, but they might be considered if one does future research.

Author's bias can also act as a limitation considering that I am familiar with the topic in advance and have my own personal views regarding racial profiling and its effects. Nevertheless, as this was recognized in the beginning of thesis, I use it as an advantage rather than a disadvantage, while collecting and analysing the data. Due to the fact that I had some knowledge about this topic, I did not need to familiarise myself with specific terms and language in regard to this topic.

1.4 Disposition

The disposition of this master's thesis will begin with a presentation of the relevant previous research that have been conducted on this rather newly discovered topic of racial profiling in the context of Sweden. Thereafter, the methodological approach will be displayed, specifically what methods are being utilized, why those in particular and how they are related to and enrich the study of this topic. The next section will consist of the theories and concepts that are related to explaining why and in what ways racial profiling occurs. The most important part of the whole thesis comes next in the form of the analysis, where the results and answers of the research question and sub-question are presented. Lastly, the thesis will be finished with a conclusion, discussion and potential future research that can be done on this topic.

2. Previous relevant research

2.1 Kalla Fakta documentary

One of the main inspirations behind conducting this study, on this exact topic, is the previously mentioned documentary "The blamed ones" by the TV4 show Kalla Fakta, which does investigative journalism every week on different subjects surrounding Swedish society. The documentary is about 44 minutes long which might not be very extensive, however the documentary brings up how there is 100 examples of individuals who claim to have been victims of racial profiling. There are many victims that chose not to participate in an interview due to fear of repercussions, however some have decided to take part in the documentary despite that fear and there are several case studies in the form of face-to-face interviews that are presented throughout the documentary. Some of the participants even provided their own camera footage of either them or others being racially profiled by police in Sweden. The team working at Kalla Fakta have a bigger advantage than me to conduct this study due to their resources and reach, however they might not have the extended timeframe that I have and therefore I see it to be relevant to study this topic (Kalla Fakta, 2019).

The documentary brings up two reports, however for the purpose of this study, only one will be used as previous research as it is the most prominent one and the most relevant for this study. The report will be further addressed in section 2.3 below.

2.2 Empirical material, news and video sources

Articles from Aftonbladet, SVT, Metro, VOX, Al Jazeera, Expressen and The New York Times are also relevant to mention as previous research, since they present newly discovered facts about racial profiling in a summarized and interesting way. The positive aspects of this type of sources is that one can read specific interviews and quotes from different actors such as police officers, lawyers or individuals who work with the topic of racial profiling, which is important for understanding their view on the topic. However, one has to be careful to not include one of the many debate articles in this category, since they will most probably contain biased views and not as much scientific facts, or only evidence that proves the author's point of view (Westin, 2019; Toth, 2019; Eriksson, 2019; Ögren, 2019; Tidningarnas Telegrambyrå, 2017; Tidningarnas Telegrambyrå, 2018; Naib, 2018; Lockhart, 2019; Grill and Malmen, 2019; Fisher, 2016).

There are also video news coverages, panel debates and presentations that have been recorded featuring Leandro Mulinari and other experts in this field like Michael McEachrane and Agneta Broberg that are deemed to be relevant for the study (SVT, 2019; TV4, 2019; MSN, 2019; Mulinari, 2018). They give a better understanding of the discussions that both the police and the experts have about this topic and how they interact with each other and with a public audience (UR Samtiden, 2014a; UR Samtiden, 2014b).

2.3 Agency reports and government papers

Research reports from such agencies and organizations such as FRA (European Union Agency for Fundamental Rights), Civil Rights Defenders, Equality Ombudsman (DO) are very important to include, since they give a perspective of how EU, international NGOs and government institutions address and analyse the topic of racial profiling in relation to law enforcement. This also shows that the subject is substantially important, since there was a need for FRA, Civil Rights Defenders and DO to discuss it and present it on a larger scale and for a broader audience (FRA, 2018a; FRA, 2018b; FRA, 2010; Civil Rights Defenders, 2018; Diskrimineringsombudsmannen, 2009; Diskrimineringsombudsmannen, 2014; Mulinari, 2017).

The Kalla Fakta documentary brought up an interesting and relevant report that is called “Randomly Selected: racial/ethnic profiling in Sweden”⁶ that was researched by the previously mentioned criminologist Leandro Schclarek Mulinari from Stockholm University, who wrote it on behalf of Civil Rights Defenders. The report is a qualitative study that analyses and draws conclusions deriving from interviews with both persons who have experienced racial profiling and law enforcement officers. The individuals who were interviewed were mostly from the biggest Swedish cities, however they lived in residential areas that are considered to be marginalized. The majority of the interview sample consisted of Muslims, Roma people and Afro-Swedes (Mulinari, 2017). The general aim of the report is to broaden and expand the knowledge of a topic that has not been researched much but has been debated frequently in Sweden (Civil Rights Defenders, 2018). The results of this report concluded that more research and public debates about the topic of racial profiling is needed. This qualitative interview report shares extensive data about this subject and will be used as inspiration and as basis for this thesis with its rich information (Mulinari; 2017).

2.4 Academic articles, journals, reports and books

This thesis used several sources from academia that addresses the topic of racial profiling, mostly from the perspective of the United States since a lot of research that has been found for this thesis derives from there. The sources research everything from different programmes and projects that can be interpreted as racial profiling tools to solutions and recommendations to solving racial profiling within the law enforcement (Hong, 2017; Hosein, 2018; Mogensen, 2019; Quiñones, 2013; Cleary, 2000; Gordon, 2016; Khazaal and Wedin, 2013; Newberry, 2017; Bureau of Justice Assistance, 1994; Ariel et al., 2014).

2.4.1 Theoretical literature

The theories that will be presented further on in this thesis come from different scholars and authors who discuss the conflict theory, consensus theory, critical race theory and focal concerns theory. In short, the conflict theory is about the police being the enforcers of law and therefore the ones being part of a dominant societal group, which results in them acting on behalf of the elite and decreasing threats to their own group’s interests. Consensus theory explains how legal factors such as criminal activity is what directs police to apprehend

⁶ “Slumpvis utvald: ras/etnisk profilering i Sverige” in Swedish

someone, not demographic or social factors. Critical race theory addresses the discussion about implementing colour-blind laws as a method to eradicate racism and racial profiling. Lastly, focal concerns theory presents the decision-making and criteria used by law enforcement when choosing to stop a certain individual. These theories are very important to highlight considering that they address why racial profiling occurs, how it occurs, the history of the topic and what justifications and arguments there are for the use of the practice (Petrocelli et al, 2003; Goldini, 2013; Hayle et al., 2016; Romero, 2003; Vito et al., 2017; Teasley et al., 2018; Sesardić, 2018).

The sources that I have not mentioned yet are the ones that address qualitative research and why it is applicable to conduct such a study. This is addressed more in the next section, which is methodology where I address exactly why a qualitative study approach is appropriate for this particular topic of racial profiling (Hammarberg et al., 2016; Mack et al., 2005).

As one can see there is enough previous research from different sources to be used for a master's thesis, however I have not found research that brings up this exact topic of racial profiling and therefore see it as fit to proceed with this topic in particular.

The sources I have decided to utilize are the most relevant and applicable ones that I have found in relation to this topic of racial profiling. There has been a conscious attempt to have as diverse sources as possible to give both the perspectives of law enforcement, who are accused of conducting racial profiling, and the victims who have perceived that they have been ethnically/racially profiled. Cherry-picking is something I want to avoid as much as possible in a highly contentious issue like this, however the problem is that there are more data from victims and experts who argue that racial profiling exist in the Swedish Police Authority, especially since the latter agency does not comment much on the accusations or they just share similar sentiments that it is unlawful for them to conduct such practices.

2.5 History of racial profiling in the US

In the past, profiling was used in the US as a method for the police authority to identify murders and rapists, however that changed and developed in the 1970s to be implemented for establishing profiles that help categorize potential drug dealers at American airports (Turvey cited in Quiñones, 2013:1). This method that was used as a sort of tool against “the war on drugs” became both practices for local and state police forces, with the addition of racial characteristics (Harris and Webb cited in Quiñones, 2013:1). The mainstream phrases “driving while black”, “driving while brown” (DWB) or “flying while Arab” shows how racial profiling

has even become so frequent in some countries like in the US, that it has become a part of their language (Romero, 2003:378). The three expressions refer to race or ethnicity being a main factor when choosing who to stop and search, which is supported by the unequal numbers of African-American and Latino drivers who get pulled over for minor incidences compared to Caucasian drivers (Mulinari, 2017:6).

Racial profiling was brought to the mainstream attention however as early as 2001 by former president George W. Bush in his first congressional speech. He even went as far as giving his Attorney General John Ashcroft the task to develop a plan of recommendations to end racial profiling conducted by the country's law enforcement. This showed that racial profiling was something that needed to be addressed on a national level. During this time, research on racial profiling was deemed to be unexplored (Petrocelli et al., 2003:1).

In 2002, the "Stop and Frisk" programme was introduced in New York as a law enforcement tool to fight crime. The "Stop and Frisk" programme consisted of police temporarily detaining and questioning a pedestrian and search or pat them down on the outside of their clothing to assess whether they are carrying weapons. The Fourth Amendment requires that before stopping the suspect, the police must have a reasonable suspicion that a crime has been, is being, or is about to be committed by the person. The part about "reasonable suspicion" can be argued to be a very vague and interpreted in many ways depending on what outcome one wants to achieve. This programme was later decided in 2013 to be unconstitutional due to its practices that broke both the previously mentioned Fourth Amendment (right of the individuals to be protected by unmotivated searches) and the Fourteenth Amendment (equal protection of the laws) (Newberry, 2017:1-2).

I am mentioning this programme since its an early example of a racial profiling tool being used in practice and one can draw similarities between it and the Swedish programmes that have been implemented in recent years.

3. Methodology

I will be conducting a qualitative desk study that researches on secondary data in the form of research papers, journals, books, articles, and other similar sources. Data from video sources, such as the Kalla Fakta documentary and other recorded footage that focuses on racial profiling will also be highly relevant for the study. The type of study I will be doing is mainly going to use qualitative data as previously mentioned, however I will be using quantitative data in the

form of secondary graphs, surveys and tables, from the FRA report for example, when found applicable.

My method consists of collecting several different sources that I have found during my research process and data gathering, and thereafter making comparative analysis of the sources that have been found regarding the topic of racial profiling. My method is in detail, to conduct a research and knowledge overview of the topic and prove if racial profiling exists or not. The thesis is therefore a qualitative theoretical and comparative analysis, considering that it collects empirical material in the form of different secondary data (research papers, journals, books, articles, reports and other similar sources) that other scholars and experts have done and compare their information with one another. By empirical material, I am referring to all the secondary sources and qualitative data that has been used and mentioned in this thesis. This is therefore not a traditional qualitative study, since it is not producing new qualitative data, instead it studies and analyses already existing data and uses different theories to explain and make correlations with the information that has been found.

In order to collect the secondary data, I have been watching the Kalla Fakta documentary, televised debates from SVT, news coverages from TV4, recorded conferences and presentations arranged by The Equality Ombudsman. Additionally, I read several articles from news agencies in Sweden but also abroad, reports from different NGOs, agencies and academic institutions. Then I found theories that can explain racial profiling and why it exists. All the relevant information from all the sources was noted down and thereafter analysed with the help of the theories I found.

To better understand why I chose to tackle this topic by conducting a qualitative desk study, one needs to understand the essence of what this type of study is used for. This scientific method tries to investigate a certain topic by collecting evidence to build answers to the research questions posed, while also following systematically implemented criteria that were set before starting the research. Meaning, that this thesis will gather data that is both related to the topic of racial profiling and that will answer the main research question and sub-question posed previously. The criteria that were decided upon before beginning the research process, are that the sources are reliable in terms of validity and authenticity when it comes to the author, origin of source and that it is relevant to both the topic and questions of the thesis. This will hopefully result in findings that were not stated in advance and that are relevant to be used in other studies that address racial profiling in other countries, or that discuss racial profiling by other actors and contexts. Another aspect that is important to mention is that a qualitative desk study aims

to interpret the stated research topic or problem from the perceptions of the native populations it concerns. This means extracting specific data that concerns the attitudes, views, culture and social context that the previous mentioned groups have. This is very relevant in the case of this thesis, since it wants to present what opinions, attitudes and arguments there are about racial profiling by posing the question to individuals, communities and law enforcement in Sweden (Mack et al., 2005:1).

The positive aspects of conducting a qualitative desk study is that one is able to offer a multifaceted discussion in written form on the experience of individuals involved in a certain issue, which in this case involves the experience of victims, communities and police force in relation to racial profiling. The “human” perspective of the problem is what is being addressed, which includes opposing aspects of views, ideas, attitudes and relationships individuals might have in comparison to each other. Abstract and hypothetical factors like gender roles, ethnicity, religion, social norms and socioeconomic status are identified and are implemented into the context of this study in an effective way with the help of already existing qualitative data (Mack, 2005:1-2).

However, using already existing qualitative and quantitative data together with each other can assist in understanding the complex situation of racial profiling in practice and interpreting the results of the secondary quantitative data that has been gathered, which I will be doing to some extent (Mack, 2005:1-2).

Qualitative research in relation to this topic is suitable considering that qualitative methods are useful to implement when answering questions concerning meaning, perspective and experience of an individual, which in this case is both the victim of racial profiling and law enforcement. First and foremost, it is to know if racial profiling occurs by drawing conclusions from the experiences that victims of perceived racial profiling have gone through, while also considering the views and perspectives of the police to get their side of the story. The secondary data that the thesis has gathered can thus not entirely be based on quantitative measures such as numbers and statistics, even though they help when analysing the extent of this issue (Hammarberg et al., 2016:499).

This study of racial profiling can be highly contentious, since it touches on topics such as racism, discrimination and perceived police brutality. However, I do my best to follow the rules of qualitative research, which entails being an objective instrument that sees their subjects or case studies as participants and data that can be used for analysing and interpreting

(Hammarberg et al., 2016:499). My study will use several case studies in the form of countries, specific legislations or programmes and cases of individuals who have been affected by racial profiling.

Interviews could also be applicable, but at the moment I have not seen in practice how they can be implemented due to accessibility. I could possibly speak to some individuals working for the police in some shape or form. However, I do not think they are that open to talk about an issue that they might not recognise or want to admit. Journalists from Kalla Fakta documentary and other televised programmes approached police for interviews, but were mostly rejected or said similar statements about the non-existing racial profiling in Sweden by law enforcement.

This topic of racial profiling has a lot to do with perceptions and emotions, in the case of victims of the perceived racial profiling. Questions such as why the treatment of law enforcement was interpreted as racial profiling, how it made them feel and what the consequences of that are, require data in the form of qualitative interview and research to be analysed properly. On the other hand, how the law enforcement perceives an individual's attitude and behaviour are also factors that qualitative data can shed a light on by discussing police work and practices. Despite this, quantitative data from FRA specifically about trust for law enforcement and how many percent of a certain sampled minority group feels like they have been racially profiled are relevant to use and will be presented later on in this thesis.

4. Theories and concepts

In this section, there will be several theories presented that will help analyse and understand this topic in depth.

4.1 Conflict Theory

Conflict theory indicates that legislation and the actors who enforce the law are the ones that are being part of dominant societal groups, and this results in decreasing threats to their own personal interests. The threats are perceived as coming from those groups or individuals who are considered to be dangerous or threatening, usually “the poor” and minorities. In this case, conflict theory entails that law enforcement targets economically deprived individuals from minorities when carrying out interrogations on the field, but also during traffic stops (Petrocelli et al., 2003:1).

The scholar Simmel discussed in 1950 how conflict is a fundamental social process. Thus, society is mostly shaped and influenced by the interests of different social groups who have competing agendas, and that seek to therefore dominate as a way to establish or sustain a social structure that is most advantageous for one's own group. The theory further details how the power of a certain social group can enable control over social order by their members, which results in both a control over authoritative groups such as legislators, but also the police force of a state. In other words, legislations that are meant to work in favour of the privileged groups interest are established, while the police are utilised as a tool to control and oppress any part of society that potentially could be perceived as a threat to the status quo. Economic resources are equivalent to power in a society built on capitalism, which indirectly means that the richer social classes want to keep their interest of economic structure that will benefit them in a legal manner (Petrocelli et al., 2003:2).

By using the legislation system, the economic class that is dominating can force through a domestic order that permits their group interests to be encouraged and sustained. The importance of economic stratification is to the point that the dominant groups will pressure lawmakers into establishing oppressive legislations as a way to control the perceived threatening and violent groups. Scholars such as Chambliss, Seidman and Turk argue that groups which have a different culture from the native ones (racial minorities), are also perceived as threats to the current social order in the country. There is a belief from some scholars that white individuals have a stereotype of non-white persons being criminal. This is further motivated by the idea that Caucasians might interpret the number of non-white individuals living in their communities as a measure for how much crime there is in the neighbourhood, while interracial victimization is perceived as specially threatening to whites if one compares to non-whites. There is data from the National Crime Survey that indicates how the amount of African-Americans in cities are correlated to how much fear there is for being victim of a crime. This is also related to the idea that Caucasians feel like they are an ethnical minority in a community and therefore having more fear of crime (Petrocelli et al., 2003:2).

The two scholars Chambliss and Seidman, have through a Marxian/conflict perspective made a summary of the law enforcement process with six main steps which dates back to 1971:

1. Law enforcement agencies are in its core bureaucratic organizations.
2. An organization and its participants are inclined to trade the official rules and objectives of their institution in exchange for current actions and legislations that will increase the benefits and decrease the tension on the group.
3. This exchange is achieved in practice by:
 - a) The lack of motivation deriving from the role-occupants to withstand the burden of goal substitution.
 - b) The prevalence of unrestricted decisions allowed by the meaningful criminal legislation and the criteria defining the roles of the actors of law enforcement agencies.
 - c) The shortcomings of productive sanctions for the standards construing the roles in those organizations.
4. The police organization relies on political institutions for their resource distribution.
5. Agencies will decrease the pressure that is put on themselves, through handling those that are in a political manner weaker and have less power, while also abstaining from dealing with the powerful actors from a political perspective.
6. Thus, it is anticipated that the police force organization will handle an unequal high number of individuals that have no power and are therefore weak politically, meanwhile disregarding the abuse committed by actors with power (Petrocelli et al., 2003:2).

An interesting metaphor that one of the used literatures mentions is this below:

“If law can be seen as the nails that hold society together, then police can certainly be viewed as the hammer of the state. “(Petrocelli et al., 2003:2).

This is in reference to the unique role that law enforcement has in society, where it can enforce the laws in different ways and sometimes in discriminatory or violent ways, without much repercussion or accountability (Petrocelli et al., 2003:3).

There is even an institute called the Center for Research on Criminal Justice that claimed in their analysis about law enforcement in the US, that the police are in many occasions taking on their role with “iron fist”. Meaning, that the previous mentioned group are acting on behalf of the ruling class, which is explained by the conflict perspective considering that the police should act on behalf of every group. The analysis further discusses how from this scenario, the law enforcement implements legislation that will only benefit the dominant groups of society, while the lower classes do not get to reap the benefits. The institute claims that the police become an

instrument of implementing the “dirty work” of an unequal system that is established to defend the rich and the white. One way to prove these claims was to empirically test them by analysing the results of police arrests, resources, homicides committed by the law enforcement, police being killed by civilians and the civil right complaints against the police organisation (Petrocelli et al., 2003:3).

A great proportion of the conflict theory addresses the issues that have been presented and are still present in the United States, however I deem they are applicable to Sweden due to the multicultural environment that exists in both countries. The theory can explain the tougher approach to crime that the politicians (elite) have called for and urged to law enforcement, however it is hard to prove if this theory has any scientific facts behind it in Sweden’s context.

4.2 Consensus Theory

Consensus theory is to some extent a counter narrative to the conflict theory presented above, since it argues mainly that legal factors such as criminal activity is what directs police to apprehend someone, not demographic or social factors. The proponents of this theory also state that this theory in particular is better at explaining why the police stops and searches youths on the street at a disproportionate level. Supporters of consensus theory (also called consensus criminologists or functionalists) claim that individuals who behave in a way that clashes with society’s moral code of upholding status quo and harmony in society, are the ones that get apprehended “objectively” by law enforcement. They further justify it by discussing how people that offend society through unlawful behaviour are the ones that get stopped and searched. It is called consensus theory, since advocates of the method believe that there is a consensus between law enforcements’ principles and goals, and the values that are in the society (Hayle et al., 2016:324).

Consensus theory focuses on the legal factors such as high crime rates in some neighbourhoods to why there is more police force presence there rather than other places. Racial bias is something that is not considered by the theory, since everyone in those high crime neighbourhoods get stopped and searched according to the consensus criminologists (Hayle et al., 2016:324). Consensus theory, of the ones mentioned in the thesis, seems to be the most applicable theory when it comes to the Swedish polices’ response to racial profiling due to its focus on areas where there is a lot of crimes occurring, which are areas where the Swedish police is present the most. The argument for Swedish law enforcement being in heavy crime areas is therefore backed up by the main ideas of consensus theory.

4.3 Critical Race Theory

Critical race theory (CRT) explains how race is a social construct that is supported by legislation, instead of it being a natural biological part of being human. This can be relevant in the case of racial profiling, considering that race plays a big role in why racial profiling occurs (Goldini, 2013:20).

To connect previous viewpoints with the critical race theory, the theory addresses the discussion about implementing colour-blind legislation as a method to eradicate racism (Romero, 2003:384). This was an idea that Martin Luther King discussed in the form of a colour-blind society, since he wanted to live in a world where an individual “will not be judged by the colour of their skin, but by the content of their character” (Sesardić, 2018:1). This idea is argued against by the American lawyer Harry Blackmun who states “in order to get beyond racism, we must first take account of race. There is no other way. And in order to treat some persons equally, we must treat them differently” (Romero, 2003:384-385). The other arguments that the CRT puts forward is that social systems are part of the issue to why racism has continued, and that it is not the fault of a few extremist people. This can be better explained by this quote: “CRT describes and critiques not a world of bad actors, wronged victims, and innocent bystanders, but a world in which all of us are more or less complicit in sociolegal webs of domination and subordination.” (Romero, 2003:385). The critical race theory also has a multidimensional method when it comes to combating different types of discrimination and oppression, which means in practice that one can deal with racism while also focusing on class differences, sexism and homophobia, since they are equally important issues (Romero, 2003:385).

4.3.1 Liberal and conservative views in the US on racial profiling in relation to CRT

The liberals in the US argue against racial profiling by stating how it perpetuates the stereotype that minorities and people of colour commit more crimes than the majority of the native white population. They also argue how this goes against the liberal teaching that says how every person should be treated as an individual and not as a member or representative of a group or minority. The individuals who have a different ethnic background and are innocent during a police search at a traffic stop or at the airport, become stigmatized by society which leads to more suspicion towards both the victims and the police officers due to the constrained relationship between them (Romero, 2003:378).

On the other hand, conservatives in United States see racial profiling as a professional tool to use for the police as a way to determine how inclined one is to commit crimes, and this is based on the supposed notion that there is a relationship between crime and race. This discourse can be explained by the fact that profiling on an individual level is built on generalized statistics, which indirectly adds support for the discourse of there being a correlation between race and criminal activities. Some scholars therefore argue that conservative ideology is behind a statistics-based method to state intervention when a recognisable group is seen as a danger to law-abiding citizens (Romero, 2003:378-379). To summarize, the liberals in the context of US, believe that maintaining one's innocence and individuality is important, while the conservatives support the notion that the statistics show how police officers should be allowed to conduct racial profiling as a way to protect the community (Romero, 2003:380). The liberals and conservatives' views are based on the US perspective, however it can be related to the political debate in Sweden as well, which will be presented later on in this thesis.

4.4 Focal Concerns Theory

The focal concerns theory was created originally by the scholar Steffensmeier in 1980 as a theoretical explanation for how courts and judges decide on sentencing. Steffensmeier together with two other authors, Ulmer and Kramer, established in 1998 that the theory will outline three central mechanisms that influence the decisions made in relation to sentencing: community protection, accountability and practical consequences and constraints. Accountability involves the extent of blame that the perpetrator has and how much punishment the individual should get depending on the crime. Community protection entails the aims of prevention and disqualification towards the offender depending on the persons harmfulness and how likely they are to fall back into criminality. The last mechanism, practical consequences and constraints, is based on criminal justice and the organizational cost that derives from the money spent by the suspect's family and other public costs during the court proceedings (Steffensmeier et al. cited in Vito et al., 2017:436).

The focal concerns theory attempts to explain the uncertainty that can happen when judges sentence someone (Albonetti cited in Vito et al., 2017:436). There is an excess of information for both courts and judges which leads to them establishing a "perceptual shorthand" where certain type of attitudes and characteristics are highlighted in the specific cases. The judges become used to look for a certain type of characteristics and have a difficult time to change their perception pattern. Focal concerns theory explains how it is the traits and future expected

attitudes that judges take into account when making a decision about a defendant. The notion of everyone in a society being treated in an equal way is not being played out in real life, considering that the theory brings up how an individual's ethnicity, race or social class affects how the justice system deals with them. Defendants who have Hispanic or African-American heritage tend to get sentenced harsher in comparison with perpetrators with Caucasian ethnicity. This is due to the two previously mentioned groups being perceived as more dangerous and more prone to not being rehabilitated and continuing a criminal lifestyle (Smith and Alpert cited in Vito et al., 2017:436).

One has to consider that the focal concerns theory is referred to when judges and courts decide on a sentence for an individual, however one could argue that this same concept can be implemented in the decision-making of law enforcement, which is more relevant for this thesis (Vito et al., 2017:436). One example that can explain this concept is during traffic stops where the police do not have much information about the individual they just stopped. This lack of information leads to law enforcement developing a shorthand or summary similar to the one's judges use as a way to make the situation less complicated and deal with the issue directly. The police create profiles of persons in relation to the interactions they have had with a certain individual where social identity is taken into account (Smith and Alpert cited in Vito et al., 2017:437). The profile is built on the individual's sex, age and race. The media and their coverage of perpetrators also impacts the perception of law enforcement on those individuals. The situation that occurs during traffic stops could possibly strengthen the profile of a specific person from a certain ethnic group. The main elements of focal concerns theory give the police opportunity to decide upon an individual's character and what kind of attitudes they assume the person will portray. To summarize, law enforcement officer's previous experience could establish an unconscious profile which impacts the decisions made by a police officer when choosing on a punishment (Tillyer and Hartley cited in Vito et al., 2017:437).

An example of how the theory can be implemented in real life is a study that discovered how Caucasian drivers are more prone to not give consent to law enforcement when it comes to them searching their cars, which is compared to African-American drivers who are more likely to do so. The study further addresses that during traffic stops, police are more inclined to search drivers and their cars if illegal products (contrabands) are found in the open, and this supports the focal concerns theory and specifically the concept of accountability. Based on this scenario and the concept of accountability, the Caucasian driver should be seen as more dangerous than the African-American driver considering them being more likely to refuse a police search and

therefore raising suspicion, which is not the case due to the disproportionate stops of the latter group of drivers compared to the first group (Higgins et al. cited in Vito et al., 2017:437). In Sweden's case, the focal concerns theory can explain the criteria that police officers use when choosing who to stop and on what basis.

4.5 Concept of racial profiling

Racial profiling is defined in a simple manner in one report as “[...] the extent to which police pursue investigations partly on the basis of racial or ethnic biases” (Hong, 2017:549).

To further go into ethnic profiling, one can argue that it is based on different criteria that are dependent on ethnicity or perceived ethnicity. It becomes discriminatory due to the criteria not being factually argued for, while also the ones being possible victims of these unfair criteria are minorities. Ethnic profiling can occur when someone has negative stereotypes about individuals who have darker skin complexion, and therefore one uses darker skin tone as a criteria for drug testing these types of individuals, while avoiding to drug test lighter skinned ones even though there might be more relevant criteria for doing it. This vulnerability minorities might experience can indirectly lead to a loss of confidence and trust for the government, judicial system and law enforcement (Diskrimineringsombudsmannen cited in Westin, 2019).

One can argue that there are two types of racial profiling, one is de facto racial profiling, which basically entails that the law enforcement profiles individuals on the basis of one's race, even though the government has not legitimised this type of action. The second type is de jure racial profiling, which describes how the state has implemented a profiling mechanism that is an official policy. In Sweden's case, I would argue that it might be a mix of both, since the government does not allow this type of actions, but the country has politicians who have a tough discourse on crime and perpetrators, while the police clearly denies using any tactics of racial profiling in their work (Hosein, 2018:3).

Profiling is a frequent and lawful method utilized by police agencies when stopping, investigating and indicting individuals who have committed crimes. When profiling, police place people into different categories based on their perceived personal traits. These traits consist of nationality, skin tone, religion and ethnic or racial origin. The attributes mentioned can be taken into consideration by law enforcement when they apprehend a person of interest. However, these attributes cannot be the only or central criteria for stopping an individual, since

that will equate to racial profiling, which is illegal and is an explicit discrimination (FRA, 2018a:10).

5. Analysis (results/interpretations)

In this part, I will be answering the main research question that was previously stated and the sub-question. In order to answer the main research question in an easy and cohesive manner, it will be divided into two parts. First, by using different statistics and case studies, I will answer if racial profiling by the Swedish Police Authority exists. After that there will be a sub-section that is connected to the way the police in Sweden has been responding to accusations about the existence of racial profiling. Secondly, I will talk about what different effects racial profiling has on various actors (individual, community and the police itself). The analysis section will be concluded with recommendations and solutions from several actors about what can be done to stop or minimise racial profiling and what the Swedish Government is thinking to do in order to combat racial profiling.

5.1 Does racial profiling by the Swedish Police Authority exist and if so, how does it affect the individual, community and police in Sweden?

5.1.1 Does racial profiling by the Swedish Police Authority exist?

A. Evidence supporting the existence of racial profiling

In order to answer the question, if racial profiling exist in Sweden, different cases that exhibit actual or perceived racial profiling would be looked at. These cases would present the experience of all the different actors being involved. Even though one might conclude that just several examples do not prove the existence of racial profiling, for the purposes and considering the resources of this thesis, this would be considered as a sufficient way to answer the question. Moreover, these case studies will be further strengthened by statistics presenting information regarding the issue in the context of several different countries.

As previously mentioned, research on racial profiling in the Swedish context is in its earliest stages and is far behind US and UK when it comes to data about the topic. The issue was mentioned for the first time in the beginning of the 2000s in Sweden, mostly due to “the war on terror and drugs” that was occurring in the US at the time and that is arguably still present today. Between 2000 and 2012 there was only 57 google search findings in regard to the terms

“racial profiling” and “ethnic profiling” in Sweden, but this number quickly changed to 201 search hits in 2013 in latter mentioned country. This major discrepancy is due to the news reports about Skåne’s police authority having a register that consist of 4000 individuals with Roma heritage. This was major news in the country and was to a certain degree a hidden issue that the mainstream media did not know about for several years (Mulinari, 2017:6). The conflict theory can be brought up in this context, since it describes how law enforcement can target certain poor and/or minority groups, which in this case is valid since Roma people are both an ethnic minority and deemed to be often times “poor” (Petrocelli et al., 2003:1).

This Roma register can be used as one of the earliest evidences for the existence of racial profiling done by the police. It was discovered in 2013 as a list called “Travellers” that the Skåne Police Authority was in charge of. The register contains 4 673 individuals of Roma heritage, and that is the majority of all the Roma population in Sweden. The main aim of this list was to frame criminal networks, according to Skåne’s law enforcement. They made it clear that this was a draft document that was not dependent on ethnicity, however most of the people on the register were not suspects of any crimes or did not have a past criminal record and they were all of Roma ethnicity which does not add up with their claim. There were even children that were part of the register, about 1 104 of them were less than 15 years old, 82 were 3 years old and 83 were 4 years old. The inclusion of children in the list was justified by stating that the kids could be used to commit crimes such as drug trafficking, and that it was needed in connection to mapping the identity of the parents and adults in the register, who could possibly coerce them to do criminal acts. These claims and the existence of the list led to Civil Rights Defenders striving for legal repercussions related to the perceived ethnic discrimination that the Skåne Police Authority might have done. The government rejected these accusations after the District Court and The Court of Appeal approved a verdict against them. There was a settlement done by the Chancellor of Justice who decided that every person on the register should receive 35 000 crowns as compensation, which showed that there was some resolution to this privacy infringement and discriminatory issue (Mulinari, 2017:6). The main purpose of framing criminal networks and lowering crime rates, specifically from this group, was therefore deemed not to be achieved.

The Equality Ombudsman (DO), who is the head of the agency that combats discrimination in Sweden, also criticized this register for being unlawful, since in Sweden an agency or similar institute cannot keep registry of a persons’ ethnicity in connection to crimes. It also resulted in DO not being able to dismiss that the police force had used racial profiling as a tool when

working, which is substantial coming from a discrimination agency and can be used as additional proof for the existence of this issue. The agency does however point out how there are shortcomings in the discrimination law, which limits the possibility for them to examine cases regarding perceived discrimination conducted by the Swedish Policy Authority (Diskrimineringsombudsmannen, 2014:53).

Another early example of how racial/ethnic profiling is perceived to exist and how it affects a specific individual derives from a yearly review from 2009, that shows how the Equality Ombudsman had received back then complaints from individuals about racial profiling committed by law enforcement. Even though it does not show the extent of the issue, it shows that there has been perceived racial/ethnic profiling from at least 10 years ago (Diskrimineringsombudsmannen, 2009:52).

Furthermore, The Kalla Fakta documentary presents several case studies of individuals who recently got stopped by border control or by law enforcement on the streets or in a traffic stop, due to their appearance or ethnicity. Besides being stopped, there are examples of how the Swedish police uses excessive force on foreign-born or foreign-looking Swedes compared to native-born or native-looking ones. Additionally, in those case studies there is proof of verbal harassment by law enforcement, where terms and words such as “rats”, “suicide bomber”, “rug heads”, “parasite”, “welfare recipients”, “bloody immigrants” would be used as a way to describe individuals who got apprehended by them and were not typically Swedish looking (Kalla Fakta, 2019). When looking at these cases, one could think of the conflict theory, which is related to the use of the tough approach or “iron fist” method to crime that the law enforcement exercise in their actions, but also in the terms they use to address some people. The theory basically explains how the Swedish police has according to these cases acted as an “iron fist” by using a tough tactic when targeting, stopping and searching persons from minority groups (Petrocelli et al., 2003:3).

Another case that can be used as proof for the existence of racial profiling by the police in Sweden comes in the beginning of the documentary, where there is a case example of a young man named Sebastian Atterby being stopped at Stockholm’s Skavsta airport, because he had dreadlocks and a “Rastafarian” look. He was with his family when he was stopped, and they are a mixed family, since they have a white dad, while he and his siblings are dark skinned. He was the only one in his family who was stopped at the airport by the customs. He was taken to a separate room and was told to strip naked and was pushed towards the wall by the customs who had hidden their name tags to keep their identities protected. The customs assumed he has been

through these checks before due to his looks. They said he was concealing a weapon, that was in fact a swiss knife type of tool. He was held for one hour by the customs and was not told what he was detained for during the interrogation and was eventually released without any charges (Kalla Fakta, 2019).

This is only one out of several case studies and interviews showcased in the documentary, which gives an extract of how individuals can feel after being racially profiled (Kalla Fakta, 2019). This can be connected to the focal concerns theory and specifically the “perceptual shorthand” method that was previously mentioned, since the law enforcement or border control might have a specific set of predetermined criteria and characteristics that they are looking for, and that Sebastian was judged to fit into that profile that had been predetermined (Smith and Alpert cited in Vito et al., 2017:437). The criteria mentioned in the focal concerns theory that Sebastian might have fitted into was that he was a young man with darker skin complexion and dreads. He was found to carry a supposed weapon that turned out to be a swiss knife, which the customs did not know he had before searching him, so that was not a valid reason for stopping him. The customs assumed that he has been stopped before, which could also show the prejudice and predetermined notions that law enforcement agencies might have when choosing to stop someone (Kalla Fakta, 2019).

Moreover, the dad of the victim, Martin Atterby, sued the customs on the basis of race, stating that his son was part of a group and was the only one pointed out from the group. His dad has never been a victim of racial profiling and has after the experience started summarizing law paragraphs and shared it with his kids as a way to educate them about their rights. The dad also mentions something interesting and that is that he has never been searched by the police or been asked where he is going or what he is doing in a particular place, which can show possible double standards by the Swedish police (Kalla Fakta, 2019).

John Stauffer, chief lawyer at Civil Rights Defenders, claims that the police has argued against any claims that they have conducted racial profiling or that it is a method they use. He further continues by stating how the law enforcement in Sweden do not want to have a serious conversation about it, while trying to avoid the topic as a way to not give the issue any legitimacy. John Stauffer mentions how in the Civil Rights Defenders scientific report “Randomly Selected” from 2017 which looks into racial profiling, it is a daily occurrence for Muslims, Afro-Swedes and Roma people to be stopped and checked by Swedish police (Westin, 2019). The previously mentioned report also discusses the differences and similarities when it comes to how various minority groups experience the treatment by law enforcement. The Roma

people who have been interviewed, for example, indicate the longevity of racial profiling in Sweden through history, while the interviewees who are Muslims get singled out by the Swedish Security Service (SÄPO), which requires further analysis due to its current lack of data (Mulinari, 2017:4).

Additional proof for the existence of actual or perceived racial profiling comes from Leandro Mulinari, the previously mentioned criminologist and author of the previously stated report. He says how he can ask people who are 40 years old now about being stopped and they can go back as far as when they were 12 years old, which was the first time they were stopped and checked. This shows the frequency of stops for some individuals and that it can be perceived by them as discriminatory and a painful memory to remember and that has not been resolved (Kalla Fakta, 2019).

Another way to prove that there is racial profiling in Sweden, is to use results from a recent study made by the European Union for Fundamental Rights (FRA), which addresses racial profiling from the perspective of individuals from African descent. The study is focused on people with that heritage and brings up examples from different EU countries, however the study is deemed still relevant, since it brings up the topic of racial profiling and the countries mentioned in this thesis (FRA, 2018a).

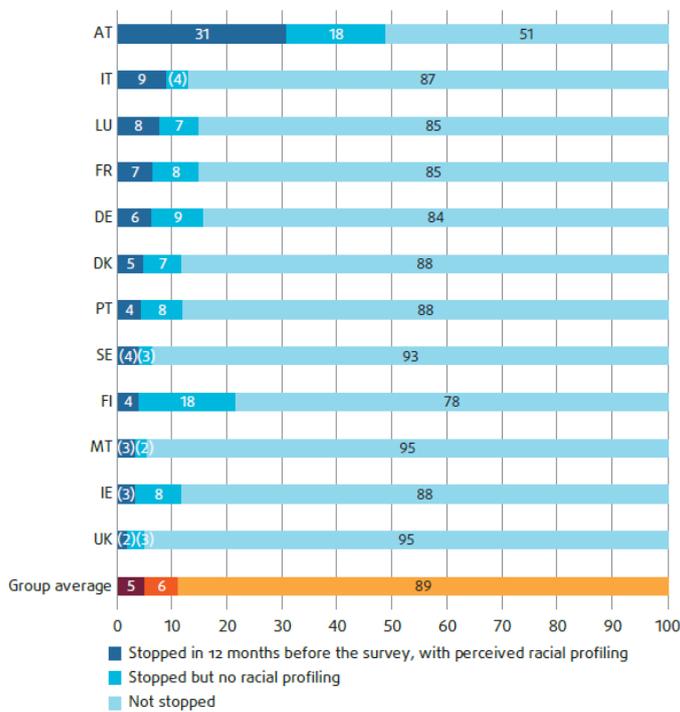


Figure 1: Prevalence of stops by police in 12 months before the survey, by country (%). (FRA 2018a:31)

Figure 13: (continued)

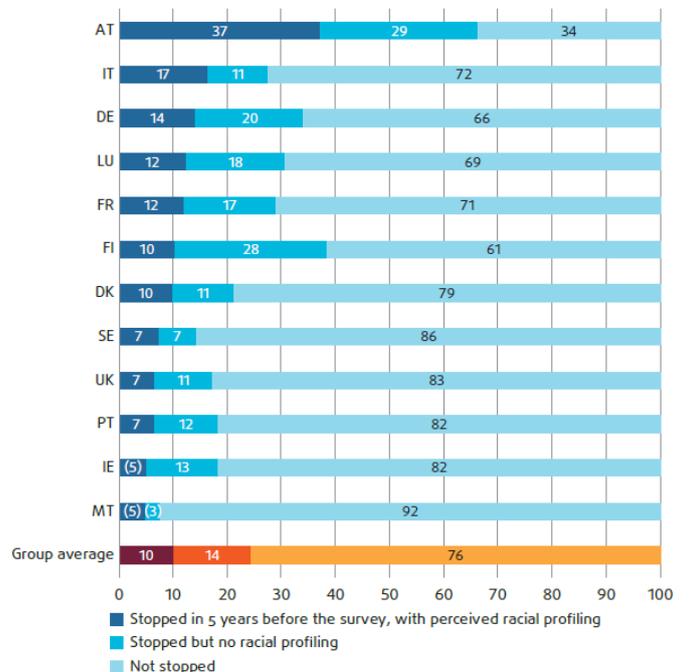


Figure 2: Prevalence of stops by police in 5 years before the survey, by country (%). (FRA, 2018a:32)

As one can see from the first figure for Sweden’s case (SE on the graph), there was 4 percent of the sample, that have been stopped in the last 12 months prior to the study, who believed they were stopped due to racial profiling, while another 3 percent that were stopped did not perceive it as racial profiling. The rest of the sample (93 percent) were not stopped (FRA, 2018a:31). The second figure had a bit higher percentages, since it surveyed within 5 years instead of 12 months, and the difference was that 7 percent of the sample felt like they have been stopped due to perceived racial profiling, while another 7 percent were stopped, but did not see it as racial profiling. The rest of the sample (86 percent) were not stopped at all (FRA, 2018a:32). These percentages show that this is not an extensive issue according to these tables, since it affects around 4-7 percent of the Swedish citizens that have been sampled, and this correlates with the slightly low number of participants (100 individuals) in the Kalla Fakta documentary. However, who can say what number or percentage makes an issue substantial enough to care about and fix? The percentages show that there are people in the society who perceive that they get stopped due to racial profiling, which is not ideal, since the police should work based on other criteria. Even though Swedish Police Authority is amongst the best ranked in the EU, according to the survey, when it comes to not being perceived as using racial profiling in their daily work, there still needs to be an active attempt and different implementations to lower that percentage even more (FRA, 2018a:31-32).

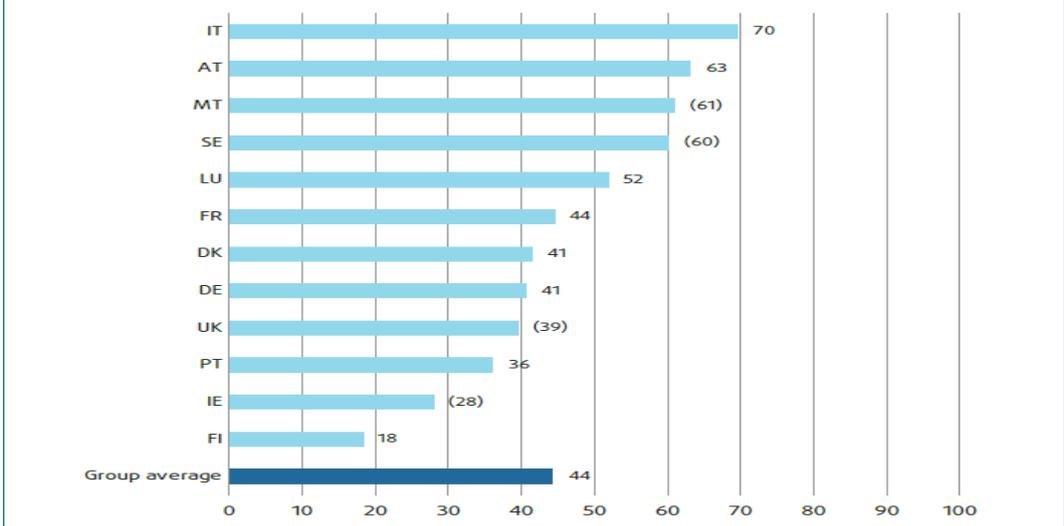


Figure 3: Most recent police stop perceived to be due to racial profiling amongst those stopped in 12 months before the survey, by country (%). (FRA, 2018a:33)

Figure 3 showcases that 60 percent of the ones in Sweden that were stopped in the 12 months prior to the survey, believed their most recent stop was due to racial profiling, which shows that more than half of the individuals who get stopped do believe that racial profiling and no other criteria is the cause of it. What is interesting is that Sweden is ranked fourth, which is amongst the highest when it comes to this context of most recent police stops being perceived as racial profiling, and the percentage is higher than the group average (FRA, 2018a:33).

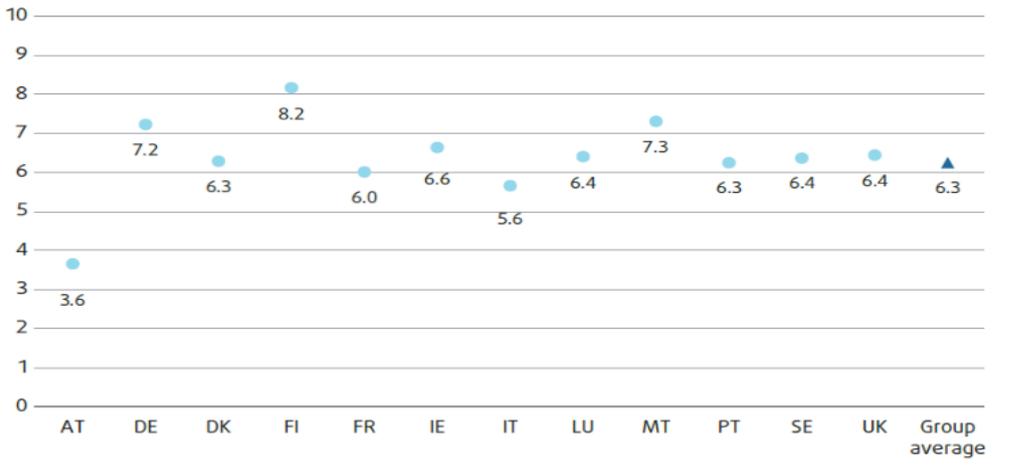


Figure 4: Levels of trust in the police, by country (average values on a scale ranging from 0 to 10). (FRA, 2018a:35)

Almost half of the individuals that have African heritage in the EU and that were stopped by police argue that they have been stopped due to mechanisms of racial profiling and that it resulted in them having lower trust for the police authorities. 44 percent of the whole sample of individuals with African descent in the EU, who were stopped by law enforcement in the 5 years before the survey was conducted, said their last stop was due to their ethnic or racial background. Another 41 percent of the individuals who were stopped by the police in the 12 months before the survey was conducted pointed out how their most recent stop occurred on the basis of racial profiling. One has to take into account that these percentages are measuring all of the EU countries, not just Sweden. The study claims how women are three times more likely not to be stopped by police compared to men (22 percent for men and 7 percent for women), while men are more likely to interpret their last stop as racial profiling (44 percent) compared to women (34 percent) (FRA, 2018a:33). Generally speaking, the survey respondents rated the police from a scale of 0 to 10 (0 meaning no trust whatsoever and 10 complete trust), a 6.3 when it comes to trusting the law enforcement, as one can see from figure four (FRA, 2018a:35). The individuals who scored low average level of trust were the ones who had experienced recent perceived racial profiling (FRA, 2018a:30). Figure four shows how Sweden

is very close to the group average ranking, since it scores 6,4 when it comes to trusting law enforcement (FRA, 2018a:35).

Another previous FRA report addresses the extent of racial profiling in Sweden. In the study, there were 543 Swedes that also identify themselves as Muslims, and 27 percent out of the ones that have been stopped by police in the last 5 years see themselves as victims of racial/ethnic profiling. That is a substantial number and usually it is Afro-Swedes that are Muslims who are used to these methods compared to other groups (FRA cited in Tidningarnas Telegrambyrå, 2017).

Further proof can be found in 2013, in relation to the previously stated identity checks that were conducted by law enforcement at Stockholm subways that stirred up a controversial debate in Sweden due to its practice and intent. These checks were reminiscent of the previous implemented REVA project that involved partnerships between the Swedish Migration Agency, The Prison and Probation Service and the law enforcement which intended to make the process of deporting migrants with no asylum more effective. The media reported that in 9 out of 10 cases, the checks were misconducted and applied to the wrong person. There were individuals who argued that the police had done ethnic profiling, since they were stopped and checked due to their appearance, which is hard to argue against, since the practice itself was highly racialized. Despite this, The National Police Board summarized in their 2014 supervisory report that the internal immigration control project was implemented in a good way and that factors such as language, background or appearance were not included in the decision-making of who was checked. There were four regions that were presented mainly in the report: The police authorities in Stockholm, Västmanland, Södermanland and Jönköping. The 2013 estimates from these four regions were that 15 587 internal checks were conducted by these authorities and that 14 percent of those resulted in enforcement or that they were handed over to the Swedish Migration Agency (Mulinari, 2017:6). One can argue that the programme led to more individuals with no asylum being deported out from the country and that it could have deterred other asylum seekers from wanting to come to Sweden. However, the efficiency due to previous numbers of 9 out of 10 checks being misdirected and 14 percent of them leading to action, has to be discussed considering that police and government resources are going towards such types of projects (Mulinari, 2017:6).

Additional proof can be found when discussing the internal immigration controls that were touched upon briefly and that were done in Sweden in all parts of the country and consisted of individuals who were stopped and checked, had to upon request show documents that they have

a legal right to stay in Sweden to the police. If the Swedish Migration Agency or the law enforcement requested these persons to come to their offices and leave information about their current situation, then that had to be followed as well, otherwise the police would apprehend them. There should be a strong reason for the Swedish Police Authority to check someone, or it can be in situations of traffic or workplace control where they will check for individuals with no asylum (SOU cited in Tidningarnas Telegrambyrå, 2018). The Equality Ombudsman has warned about these measures being discriminatory due to the nature of the checks being very appearance and ethnicity based, and therefore suggests that the risk for discrimination should be analysed first before putting those actions into motion (Tidningarnas Telegrambyrå, 2018).

Furthermore, the previously mentioned REVA programme and its racialised tools could be additional evidence of racial profiling being used. It was introduced in 2009 with the aim to lower the trial period for asylum applications and improve the legal certainty in asylum processes, which would advance the efficiency of the practices that deal with the management of asylum seekers in Sweden. Basically, making it more efficient to deport persons who have gotten a negative asylum decision and therefore have no legal right to stay in the country. This programme was fully established in 2011 as a pilot project in Malmö and was then expanded to most of Sweden. The REVA project did stir up some controversy in 2013 on social media and the news, since there were reports of individuals being approached by border police in Stockholm subways, despite there not being any justified suspicions of crimes occurring. This led to a debate and increasing fear from people that law enforcement agencies were conducting stop and search on individuals on the basis of racial profiling (Khazaal and Wedin, 2013:2). The project was in 2014 finished due to unknown reasons.

As one can see, there are many examples from an individual's perspective of racial profiling existing due to the personal experiences that people have gone through. There are also several projects, programmes and quantitative data that indicates how forms of racial profiling have been used in police work and towards certain communities. Hence, for the purposes of this thesis, it can be concluded that racial profiling exists or at least we have proof for the existence of perceived racial profiling conducted by the Swedish police.

B. Swedish law enforcement's response to racial profiling accusations

The majority of law enforcement in Sweden has agreed upon that there is no racial or ethnic profiling methods in their daily work, however arguments in support of that statement and their views on the issue will be discussed in the next paragraphs.

The Kalla Fakta documentary presents that the Swedish police has legal authority and jurisdiction to fight crime that is violent and organised, and therefore they have the right to do visitations and searches and this has to be taken into account. However, the question of who are the ones that are being searched and why becomes very vital to understanding why practices of racial profiling might occur (Kalla Fakta, 2019). Furthermore, practices such as body searches by police on individuals who do not have legal proof to stay in the country is allowed due to the internal immigration control. Other tasks such as photographing individuals and taking fingerprints if a person is not collaborative is also other freedoms the law enforcement can use. Fingerprints could even be taken from six-year-old kids, which is different from the past 14-year-old age limit (SOU cited in Tidningarnas Telegrambyrå, 2018).

Erik Nord (Chief of Police in Gothenburg) states that the Swedish law enforcement does not conduct racial profiling. Instead he mentions that they work with profiling based on behaviour, place, time and intelligence that has been gathered. The police chief says that when one has a near encounter or altercation with law enforcement, it can be considered uncomfortable and if there are differences in the police officers and the civilian's ethnicity, then it can lead to problematic scenarios and interpretations of the situation. Erik Nord mentions how these situations should be countered by having a more diverse workforce, but still reiterates the previous statement of the Swedish police not conducting racial profiling. It is worth to mention that Kalla Fakta tried to get an interview with the national police chief in Sweden, Anders Thornberg, or someone of that calibre, however the only thing they received was a short mail from the police force saying that the law enforcement conducts more controls in areas where there are more crimes (Westin, 2019).

Another argument put forward is from Jale Poljaerevius, who is the chief of police responsible for Uppsala region, and he claims that racial profiling is a myth and that they have individuals with a foreign-born background in their force, which he argues proves the myth aspect of it. He apologises if the cases where people have felt that they have experienced racial profiling are true, but he fully dismisses the narrative about cases of police racially profiling civilians not being followed up. He agrees with Erik Nord that there are other parameters that are used when profiling, and not factors such as hair colour or what religion a person has. The chief of police for Uppsala also criticizes the Kalla Fakta documentary and its reporters for presenting Swedish law enforcement in a negative light, since it only portrays 100 cases of perceived racial profiling, while the police has done 1.6 million stops and searches of individuals. According to those numbers, then there are not many cases of racial profiling, however that is difficult to

argue, since those 100 cases were the ones Kalla Fakta could gather in relation to their own timeframe, resources and the notion that there is a fear of speaking out due to repercussions. He admits that there are police officers that conduct discriminatory practices, however one cannot generalise the police force due to that. How to combat racial profiling and developing a more diverse workplace is something that Jane Poljarevius argues is discussed during their daily work, as a way to show that they try to prevent it as much as possible, even though they do not recognise the problem in the first place (SVT, 2019).

An additional way that the police is rejecting the existence of racial profiling is to say that those cases are due to the recent demands from politicians for a tougher approach towards crime (Mulinari, 2017:6). The political climate has become much harsher towards immigrants in EU, partially since the surge of Syrian migrants into Europe in 2015, which can somewhat explain why there is this call for tough measures against crime (Fisher, 2016). There has also been harsher ways of dealing with criminal networks and deporting rejected asylum seekers before that as well in Sweden, due to the REVA programme and Roma register, so it is a trend that has been continuing and that is affected by various factors (Mulinari, 2017:6).

This results in the existence of harsher police practices and additional pressure on law enforcement to implement more actions, control and surveillance in crime-heavy neighbourhoods. One must take into consideration that it is law enforcement's responsibility to protect law and order even if force is required. They even have the freedom to search who they want which entails that the demands can be followed through. Their main agenda is to develop borders between law-abiding individuals and criminals, however in real life this leads to unfair power dynamics that are preserved due to the race or ethnicity of an individual. The tasks of a police force are difficult considering that their social mission is to prevent and stop crimes from occurring, which results in a struggle between balancing the judicial efficiency and certainty of the job. It also brings up discussions about principles of fairness in legal situations and the lawfulness and accountability of law enforcement (Mulinari, 2017:6).

The conflict theory is correlated with this, since it explains how the politicians (who can be seen as part of the elites) are asking for a tougher approach on crime and pleading to law enforcement to be the forefront and driver of these methods. It might not be the choice of the Swedish Police Authority to utilize a tough approach on crime, however if the Swedish Government and the ruling parties demand it, then the orders of an "iron fist" approach must be followed. The political pressure can also be due to public opinions about there being much

crime in a certain neighbourhood, and therefore the politicians need to act in order to not lose voters (Petrocelli et al., 2003:2).

At the moment, there is a political division, for example when the Left Party politician Linda Snecker debates how there is structural racism in the police force that allows these racial profiling practices to occur, while the right leaning Moderate politician Arin Karapet defends the police and blames the issue on individual police officers (SVT, 2019). This shows that not even the politicians can agree if racial profiling exist or not, as previously seen by the liberal versus conservative debate in the US, which makes solving this issue much more difficult, since the government might have a chance to reform the Swedish Police Authority and put in laws and new alternative practices that can prohibit or minimize the use of racial profiling. This can also be connected to the liberal versus conservative debate in Sweden, since the Left Party politician Linda Snecker take a similar liberal approach by arguing that racial profiling targets minorities and spreads the stereotype that people of colour must commit more crimes than the majority of ethnic Swedes since they are being stopped more often (Romero, 2003).

Moreover, there are three main arguments that are brought up by law enforcement when discussing cases of racial or ethnic profiling. The first argument is that there are “bad” police officers within the police force, which one can say about most jobs in the society. By using this line of argument, one can claim that racial profiling is a one-time instance that is done by individual police officers, instead of referring to it as a structural problem for the whole profession. The second claim is that some types of police tasks such as immigration control can be perceived as fundamentally racialised jobs that cannot be changed due to their nature and intent. The last argument is that some locations experience more crimes than other, and that is why minority groups can experience that they are more frequently stopped and searched by law enforcement, since the police presence is higher in those areas compared to others (Mulinari, 2017:4). The last argument is related to the consensus theory, since the police argues how it does not take into account racial bias when choosing whom to stop and search, but instead targets areas where there are high crimes. If there are minorities and ethnic groups that happen to live there, then that is an unfortunate coincidence that the law enforcement is not responsible for (Hayle et al., 2016:324).

If one takes the perspective of the law enforcement, one can see how the topic racial profiling is a delicate subject and any critique towards the police force is mostly rejected as a way to avoid discussing the issue. The sample of police officers who were interviewed in the “Randomly Selected” report presented their daily tasks as being colour-blind, which connects

with the critical race theory and the arguments it has against the notion of colour-blind policies and how it does not work (Romero, 2003:384-385). The most common statement amongst the police force is that the appearance and background of an individual is not relevant and taken into account when a person gets selected for a stop and search (Mulinari, 2017:4). However, if one takes the scholar Harry Blackmun's argument into consideration, then one needs to treat people equally by treating them differently and recognising race and how there is a power hierarchy when it comes to different races (Romero, 2003:384-385).

In UK, there are statistics about which individuals get stopped and frisked as a way to measure the extent of racial profiling, but this does not happen in Sweden, according to Stefan Holgersson, a man who has worked as a police officer for about 26 years and is currently a professor in police science at Linköping University. He argues that the current police authority is not interested in research on racial profiling like the "Randomly Selected" report. The police management being quiet and not commenting on the issue is interesting, since they might not consider it an issue, or they do not want to address it because it will impact their work and authority to do as they please (Kalla Fakta, 2019). Stefan Holgersson's statements pressures the law enforcement in Sweden to research the issue, and one way to do it is to study how it affects different groups in society, which is what will be done in the section below.

5.1.2 The effects of racial profiling on different actors

A. Individual

Martin Atterby, the dad of the previously mentioned victim, believes that every stop and check that is based on ethnic profiling, pushes an individual towards not feeling as a part of the society, which will not be positive for neither the individual nor community in the long run. This goes together with Sebastian Atterby mentioning how he feels to a certain degree that he is not part of the bigger society, and that he feels part of the "other team" instead. Regarding the previously mentioned case, the customs said Sebastian was threatening and violent during the interrogation. The victim mentions how he has been stopped before, how he felt violated after the whole experience and that he tries to avoid any interactions with law enforcement after that experience, by not walking where police presence is high (Kalla Fakta, 2019).

Leandro Mulinari further discusses past sentiments by stating how when somebody is suspected of committing a crime on the basis of ethnicity or race, then that creates questions about membership in Sweden. Which individuals should be considered Swedish, and which are non-

Swedish and therefore more inclined to be seen as suspects? He further argues how a person's rights are in connection to the notion of who is Swedish or not. That means from a sociological perspective that racial profiling and its practices can result in some of the victims feeling like they are excluded from the common society and becoming more segregated. This in turn creates conflict and can even lead to victims of perceived racial profiling hating themselves, due to their colour or ethnicity and the things they go through during a police interaction (Kalla Fakta, 2019).

In summary, for an individual who experiences racial or ethnic profiling, the effects of that can be a feeling of not belonging to the community due to discrimination, their trust for law enforcement decreases and they are less likely to report crimes and avoid areas where there is higher concentration of police presence. The effects of racial/ethnic profiling can also be long-term and change how one person feels about themselves, their country and the government agencies for the worse (Kalla Fakta, 2019).

B. Community

From the community perspective, one has to look back in time to see if there is racial profiling and how it affects the community. Since a community is basically made out of a group of individuals, there will be similar experiences and views as the previous category (individual) mentioned.

One way in which the society is being affected by racial profiling can be extracted from the previously mentioned "Randomly Selected" report that argues how it is a frequent experience for some minority groups to be picked out by law enforcement, due to their racial or ethnic background. The experiences that are mentioned by the interviewees indicate that racial profiling occurs in daily situations such as interactions in public spaces, while driving and crossing borders. When individuals get stopped and searched on numerous instances, then that leads them to feel as if they are being treated like potential criminals for no obvious reason. There are even situations where the interviewees have been victims of a crime, but still have been suspected of committing a crime or conducting themselves in a wrong manner (Mulinari, 2017:4). This can be related again to the focal concerns theory and the practices of stopping predominantly minority groups during traffic- and border stops compared to the native Caucasian group (Higgins et al. cited in Vito et al., 2017:437).

John Stauffer, chief lawyer at Civil Rights Defenders, further discusses the everlasting effects of racial profiling by stating that he understands that the job of police officers involves much pressure, however that should not result in racial profiling, since that has substantial consequences. When someone has been exposed to it as a kid and been discriminated, it leads to deep scars and less trust for police and different agencies in general. In the end it affects the whole society for decades (Kalla Fakta, 2019).

An individual that works with youth on a daily basis, is Tico Andreani-Fagnani who himself has been a victim of racial profiling and knows the effects of it. He works in Lindängen, which is in Malmö, and argues that even though he sees why there is police presence in more economically deprived areas, there should be another approach by the police rather than the harsh one they might implement. Tico argues that the police does not create any trust, security or relationship with people in the neighbourhood when they call individuals rats and put them against the wall forcefully. People going through this become afraid when they see a police car and start thinking “what is going to happen now?” and “will I be able to go home tonight?” according to Tico (Westin, 2019). The effects of this can be less cohesion between the group who supports law enforcement’s tough approach and the other group who believe it is too harsh and not the right method to conduct as seen by the previously discussed Left Party versus Moderate Party debate (SVT, 2019).

The previously mentioned effects of racial profiling, which is less trust for law enforcement, can indirectly lead to less cases of individuals reporting situations of racist violence and harassment. This leads to a problematic relationship between the community and local law enforcement (FRA, 2018a:30). The FRA also mentions how profiling leads to fundamental right issues, since there is a risk that it violates globally recognised human rights such as non-discrimination, equality, and the rights to respect for private life and data protection (FRA, 2018b:7).

There is a survey from 2004 that measured the public attitudes of Americans when it comes to racial profiling. The majority of the sample disagreed with the practice of racial profiling, 67 percent of them thought that law enforcement should never connect race to potential crimes committed when stopping a driver. This shows that communities that might not be affected by the practice, still believe it is a wrong way of fighting crime. This can also bring together different minority groups who are against the practice of racial profiling (Mogensen, 2019:1).

Stefan Holgersson, the police officer who was previously mentioned, sees a danger in the discourse of having a tougher approach or “iron fist” method when it comes to people from suburbs and “ghettos”. Swedish politicians have according to him, discussed using more force and placing military in those previously mentioned areas. He explains how these narratives from politicians can give signals that the police force has to have a tough and hard approach without considering who the victims might be. There is research from other countries according to Stefan Holgersson, which shows that stops and checks result in a stronger network of individuals who become aggressive and negative towards the society in general, due to the unequal power balance between the majority and minority group. These sentiments have been mentioned before in this thesis (Westin, 2019).

Similar to previous section, the community’s perspective is that racial and ethnic profiling exists due to group experiences, programme implementations and the effects deriving from them. In conclusion, the individual and the community feel similar effects of racial profiling, since a community is built on a group of individuals. However, the effects can be two sided, since a situation where communities that are for and against law enforcement become hostile against each other can occur (Westin, 2019). The other effect that has been mentioned before, are that communities that are not affected by racial profiling support the argument that racial profiling of minorities should not exist. This can be seen from previous mentioned survey from 2004 where 67 percent of Americans did not support racial profiling being used by law enforcement (Mogensen, 2019:1).

C. Swedish Police Authority

There is not much to say about how racial profiling affects the law enforcement in Sweden, since they are the ones being perceived to conduct and implement the practice. However, criticism and lack of trust for them does make their daily work more difficult, since individuals and communities might not want to assist them by sharing vital information about certain crimes. This is highly detrimental for the relationship between citizens and police, especially in heavy crime influenced neighbourhoods where community participation is very helpful when solving crimes (Bureau of Justice Assistance, 1994:4).

All the cases that are brought up by Kalla Fakta show how individuals get stopped and checked, but that the actions do not lead to any formal criminal punishment even though they are perceived by police as being confrontational, acting out or in the worst case carrying a weapon. The question of how effective these types of practices are should therefore be discussed within

the police force, since they are the ones that carry it out but also the Swedish Government that allows it to happen (Kalla Fakta, 2019).

Stefan Martinengo, who has been chief of police for the border unit that works in Uppsala, sums up the view on racial profiling by stating how he and his colleagues do not see that racial profiling is a problem for them, however since the society thinks it is, there is a need for a discussion. This is connected with previous statements and can be seen as contradictory, since if it is not a problem, then there should not be any need to discuss it. However, this does not seem to be the case and law enforcement feels perhaps that they have to discuss it as a way to show the community and media that they hear the accusations and try to deal with them on a daily basis (UR Samtiden, 2014a). In relation to this, Stefan Holgersson discusses how there can be a problem for police if they do not reflect over why they stop someone, which can end up becoming a vicious cycle if continued, for both law enforcement and the victims of racial profiling (Kalla Fakta, 2019).

There is not much research done about how police in Sweden feels when being blamed for conducting such practices, but judging from the debates and news coverages that police representatives have done, they are fully against the accusations and see it as a negative practice to be accused of (SVT, 2019). One can argue that the practices of racial profiling might lead to people feeling safer in their communities, due to idea that there is a decrease or prevention of crimes and that the job of the police become more efficient. However, the numbers and statistics that were shared previously about 9 out of 10 identity checks being misdirected and the amount of foreign-born or foreign-looking Swedes feeling discriminated, should result in a sensitive but needed discussion amongst the police force in Sweden (Mulinari, 2017:6).

To sum up, the main effects for the police is that their work becomes harder due to civilians not working with them as much and them being criticized in the media, which leads to them spending time and resources (in the sense of employees) in order to answer the accusations being made towards them regarding racial profiling practices. Moreover, they need to allocate time for thinking and discussing different ways to reduce the frequency of racial profiling situations (SVT, 2019).

5.2 What can the individual, the community and the Swedish Police Authority do to avoid or decrease situations of racial profiling from occurring?

5.2.1 Individual

There is not much that an individual or a victim can do, besides protesting out on the streets and speaking out about injustices by participating in the Kalla Fakta documentary for example, or in the public sphere such as televised debates as a way to get mass media to pick up their stories (Kalla Fakta, 2019; SVT, 2019). Sebastian Atterby's way of dealing with racial profiling is to avoid walking where police presence is high, due to his previous encounters with them, however this is not a feasible solution, since it only avoids addressing the issue and not solving it (Kalla Fakta, 2019).

Another way that a citizen can fight racial profiling from occurring is through publicity and social media. When racial profiling takes place, it is very important for the victims of the act or bystanders to film the event and record it as a way to have reliable evidence and then broadcast it on relevant media platforms. By doing that, law enforcement and specific police officers using excessive force get "publicly shamed" and therefore slightly pressured by the society and perhaps their supervisors to think twice and reflect before acting in an overly violent way. It is a way of documenting overuse of one's power and abuse done by police and preventing it from occurring as often (Naib, 2018). This can be seen in the cases from the Kalla Fakta documentary, where either bystanders have taken video footage of another person being wrongly dealt with by the police, or sometimes they have been the victims themselves and managed to get audio recordings or videos from the altercation (Kalla Fakta, 2019). In the United States, these video recordings were crucial in order to find out who killed the two unarmed African-American men Trayvon Martin and Mike Brown. These were two young men who were killed on two separate occasions by some type of law enforcement personnel who were not indicted. There are many more cases like this that have occurred in the US for the past several years, and racial profiling practices are believed to be behind the deaths (Gordon, 2016).

5.2.2 Community

When discussing what community can do, it will also include what different government agencies, NGOs and international institutions have suggested can be done in relation to racial profiling.

The community and the civil society in Sweden have more resources to conduct substantial change when it comes to combating racial profiling compared to previous category. The Equality ombudsman (DO) Agneta Broberg explains the need for change by stating “A law is not enough to reach change, there is a need for different actors to reach each other. A critical dialogue is needed that can lead to collaboration between different agencies, scientists and civil societies” (UR Samtiden, 2014b). This was done in relation to a conference that DO was in charge of and that was the start of this dialogue that was sought after. The conference had police officers from UK that were sharing their struggles of racial profiling in their work and how they have tried to deal with it, which can inspire and influence the representatives of Swedish Police Authority that were present at the event. A collaboration between the Swedish police, UK and US law enforcement where training and education in this issue can be helpful, however that is not something that has been implemented in practice to my knowledge (UR Samtiden, 2014b).

FRA does also offer in one of their reports, recommendations for EU Member States about how to deal with racial profiling in their police force. One of the recommendations is to produce practical and specific guidelines that are ready to be used for assisting law enforcement to not utilize racial profiling as a tool to fight crime. The guidelines can be part of the codes of conduct for the police force, in the standard operating procedures of the police, stated by the authorities of law enforcement and incorporated into a certain relevant law to increase the efficiency and range of it. The vital part is that the guidelines are issued and promoted by the police chief towards the rest of the police force as a way for everyone to have the same agenda. There is also a need for support from Member States to relevant agencies when it comes to establishing strategies for community policing, which will decrease the current negative influence racial profiling has on the trust that individuals from minorities have for the police (FRA,2018a:11). Community policing is when law enforcement collaborates together with local actors such as businesses, other relevant groups and residents in the community as a way to improve community solidarity, decrease crime and fear of it and deal with anti-social behaviour (Bureau of Justice Assistance, 1994:1). There is also an option for Member States to get assistance from the EU Agency for Law Enforcement Training (CEPOL) when it comes to developing the guidelines, which shows that EU agencies see racial profiling as a European issue that needs to be addressed (FRA, 2018a:11).

5.2.3 Swedish Police Authority

It is a bit difficult to discuss what the Swedish Police Authority can do in relation to racial profiling, since they have not nationally recognised it as an existing issue. Moreover, even if they talk with people about the issue this leads to no further actions. This can be further seen in the actions of the Swedish national police chief Dan Eliasson, who was positive towards the “Randomly Selected” report and opened the doors for the criminologist Leandro Mulinari from Stockholm University. However, not much has been done since then from the police side. Nevertheless, they are the ones who can affect the practices of racial profiling in their job to the greatest extent, and therefore the text below will share both arguments from different organizations, governments and current police officers who put forward concrete examples of what the police can do to change this negative trend.

John Stauffer elaborates the importance of a recognition from the police that this is an issue, since it is the first step to solving it. Next step is to look at the work procedures, methods and attitudes that exist in the police force, which should be done by an unbiased outside agency or actor. For now, the law enforcement has only indicated that the problem of police officers conducting themselves in the wrong manner is on an individual level and not a structural problem in the police force (Mulinari, 2017:3).

There was also an interview with the previously mentioned Erik Nord, who is a police chief in Gothenburg, and he stated that he thinks the police should work more with implementing racial diversity in their force, as a way to avoid the checks being perceived as singling out individuals. He states how there might be an issue in situations where there is a difference in ethnicity between the police and victim, for example when a white police officer is stopping and checking an individual from a minority group. He claims as his colleagues however that there is no racial profiling amongst Swedish police (Westin, 2019). The main focus of the police when stopping an individual, should be if they suspect the person of committing a crime or planning to commit a crime. He further elaborated, if a police officer conducts a lot of searches of a certain type of group, that the probability of finding something criminal there is clearly higher, which can lead to a method of racial profiling. However, if law enforcement searches a different group of people with another appearance, then there might be higher chances of finding criminal activity there as well. Stefan Holgersson argues though that this is not done and therefore the extent of the profiling becomes discriminatory (Kalla Fakta, 2019). Therefore, one solution can be to try and avoid focusing on one type of minority group, especially the ones being affected most by

racial profiling, and instead be present in different areas where there are other ethnic groups such as native Swedes as well.

One can argue perhaps that the police officers being mainly Caucasian is the reason why racial profiling is occurring so frequently, which follows what Erik Nord spoke about previously, however there is data that points out quite the opposite. The scholars Wilkins and Williams argued that actions of racial profiling increased in that police group where more African-Americans were present (Wilkins and Williams cited in Hong, 2017:549). This claim was further motivated by the authors Smith and Petrocelli that discovered how the ethnicity of police officers do not have any substantial impact on the amount of individuals from different races that get stopped, searched or arrested (Smith and Petrocelli cited in Hong, 2017:549). The researchers put forward the argument of police officers from ethnic minorities seeing themselves as primarily part of the law enforcement, rather than members of an ethnic minority group while on duty. This results in police officers discriminating and racially profiling individuals from their own ethnic minority groups. One might say that the police officers are just doing their job, however using racial profiling is not a job being done correctly. Perhaps the African-American police officers feel that they have to be extra tough on individuals from their own minority group as a way to not be perceived as biased by their colleagues. If the minority officers would decide to go against traditional police practices and values that are implemented by the majority of the law enforcement, then they can be marginalized within the police force. This entails that the solution of racial diversity in the workforce that has been mentioned by countless of Swedish police officers might not work, even though it might differ when implemented in the context of Sweden (Hong, 2017:549).

Another opinion about what can be done comes from the Government of United Kingdom. They have clearly spoken out and said in a written statement, that racial profiling is forbidden, and that actions such as stop and search need to be used in a fair and effective way. These actions should not lead to the society having less trust for law enforcement, instead it should be seen as a way to better the relationship between the community and police, which is difficult to imagine considering its implementation and intent. No citizen should be stopped on the basis of their ethnicity or race, according to the UK Government. However, this has not been applied always in practice, considering that the law enforcement in United Kingdom have in the past used their authority to stop and search disproportionately individuals from different ethnic or racial groups. There is research that indicates how Black British individuals are at least six to eight times more likely than white British people to be stopped and searched by law

enforcement. This can be related to US, where in traffic stops, the police are three times more likely to search a driver that has African-American or Latino ethnicity, rather than a Caucasian (Hong, 2017:549). Sweden and its police force can learn from the two countries mistakes, since they have been going through and are dealing with racial profiling in their own respective ways.

There are many arguments one can put forward against the use of racial profiling, however to suggest methods and alternatives to it, which law enforcement can utilise instead becomes more difficult. One of the alternative methods that have been proposed by scholars are randomized screenings, which is thought to replace and phase out racial profiling. Randomized screening involves choosing individuals on a random basis for screening, which indirectly leads to individuals with foreign background to have an equal chance to be searched compared to any other member of other groups. This evens out the playing field to a certain extent, since racial profiling results in a situation where persons with foreign or other ethnic background get stopped and checked on a higher rate compared to the natives (Hosein, 2018:3). Although, if the screenings are conducted in areas where there is mostly minority groups living there, then the action does not fully solve the issue of disproportionate controls of individuals from minority groups.

Another method is to implement roadblocks, which entails law enforcement establishing randomized and impromptu checkpoints where all drivers who want to pass through there get stopped. Another option could be to stop every third driver, for example, who is driving through the checkpoint as a way to randomize additionally, however that might seem unfair for some of the drivers who get checked. This could also be implemented in airports where there are unexpected checkpoints where people get stopped when trying to pass (Hosein, 2018:3). These suggestions can be connected to the colour blind policies of CRT, however it is more focused on using randomization in the daily work of police officers rather than disregarding race fully (Romero, 2003:384). These examples are taken in the context of United States, however I do believe that they are relevant and plausible in the case of Sweden.

An alternative option that has been tested and implemented in the US is having body cameras on police officers (Ariel et al., 2014:3). This measure is meant to increase accountability and raise community trust for law enforcement, however, there has been research on the efficiency of it that has given mixed results. Nonetheless, 88 percent of Americans in a poll from 2015 supported body cameras on the police so therefore a need and use for them is still relevant in the case of Sweden for example (Lockhart, 2019).

In Sweden's case, there is first and foremost a need to recognise and admit that the practice of racial profiling does occur at times by the law enforcement in Sweden. It might not occur often, but it does affect many individuals in Sweden and therefore it needs to be taken seriously and a debate within the police is required, and preferably also together with minority groups to move forward in a better direction (MSN, 2019). Research on racial profiling by a non-biased actor is also a vital first step to understanding the issue better. Implementing any of the other above-mentioned solutions will be a significant step towards possibly solving or at least decreasing the problem of racial/ethnic profiling.

5.3 Current developments

In Sweden there is no statistics about crimes or arrests connected to ethnicity at this moment, however this is something that is being discussed and possibly changed as will be discussed below (Grill & Malmén, 2019).

A very recent suggestion put forward by the Crime Prevention Council (BRÅ in Swedish) is that they are going to conduct a research study about the correlation between crime and ethnicity. This proposal was first discussed in 2018 by the Moderate Party who demanded that there should be a mapping of criminal's ethnicity when it comes to crimes of sexual nature. The government then decided to pass on the issue to Crime Prevention Council, which has reached the current proposal of a future study and the results of it are expected to be announced in the beginning of 2021. The study by BRÅ will focus on crimes such as sexual assault, violent crimes and different types of acquisitive crimes. There has been a study like that in the past, specifically in 2005, which resulted in the Crime Prevention Council reaching the conclusion that it was five times more likely for the group of men that were foreign-born to be suspected of committing sex crimes compared to the group of men who are born in Sweden and have two parents that are born in the country as well (Ögren, 2019). Other studies conducted by the Swedish newspapers Aftonbladet and Expressen concluded that the majority of men and boys that are sentenced for participating in group rape are born in a non-European country. During 2012-2017, 112 individuals were convicted of this felony and 82 of them were born outside of Europe. The main objective of the upcoming BRÅ study is to gain more knowledge about this specific topic and to implement the right methods to prevent these crimes from happening.

One needs to take into consideration that these numbers do not include the amount of sexual assaults conducted by men who have not been sentenced and followed up, and that the numbers are from 2005 (Grill & Malmén, 2019). The question of how this BRÅ study affects racial

profiling in this country is relevant, since depending on the result it might lead to more practices and projects that can be linked to racial/ethnic profiling, or it can result in there being less situations of this happening, since the police authority receives information and statistics that might change their biases and prejudices. However, the first scenario of additional racial profiling tools and practices being introduced is more likely to occur in my opinion, due to previous mentioned statistics and numbers in these types of crimes.

6. Conclusion, discussion and own reflections

6.1 Conclusion

There is to a certain degree a global recognition that racial profiling exists as a tool used by law enforcement and in their practices in countries such as United States, United Kingdom and other countries. However, speaking of it in the context of Sweden, leads to a conflict of opposing views between the perceived perpetrators (in this case the police) and the victims (the individuals going through racial profiling). Most of the voices from the Swedish law enforcement are denying that any acts of racial profiling are used within the police force, and if the claims are true then that is because of specific “bad” police officers and not the whole force. The victims of racial profiling claim though that this problem occurs too frequently and to several different minority groups, and it can therefore not be caused just by a couple of police officers or by chance. The practice of racial profiling is therefore argued to be a structural problem that influences the work of the Swedish Police Authority according to victims, case studies, programmes and experts in relation to racial profiling.

6.2 Discussion and own reflections

After conducting this study and reviewing the available data, I think that there is racial profiling in Sweden committed by law enforcement to some extent, even if they do not want to admit it. When it comes to internal immigration control and Roma register, they were deemed controversial and unsuccessful when it comes to numbers and they led to compensation for Roma people so one can argue that it was a consequence of using a racial profiling tool.

One has to take into consideration that racial profiling is not something that just law enforcement willingly or unwillingly uses, it also happens in hiring processes, surveillance, renting out apartments, housing segregation and many other instances, thus it is a structural social problem. Sweden is not different from any other Western countries such as UK and US.

Many countries share similar problems and I do not think Sweden is an exception, even though it probably is not as bad as in the US case where African-American men get shot at an alarming rate by law enforcement. My theory is that the more racial profiling occurs, the more victims of this practice feel not part of the larger Swedish society and indirectly segregation increases.

Therefore, I believe racial profiling is something that occurs and most times not intentionally, but discourses from both politicians and media partially affects the way police conduct themselves. Perhaps racial profiling is not considered a big issue in the first place, since it happens mostly to minorities and not to the majority that is ethnic Swedes. I believe the next step for Swedish law enforcement is to firstly recognise and admit that there is a problem, thereafter, hire a more diverse work force if possible and implement training against discrimination, biases and prejudices arranged by experts in that field. Other options that could also be relevant is the random screenings, impromptu checkpoint and body cameras that were mentioned previously. This problem might not be considered urgent or affecting enough people compared to the issues of today's world like climate change, civil wars and terrorism. However, the issue of racial profiling can have detrimental long-term effects such as segregation, strained relationship between law enforcement and minority communities, decreased trust for government agencies and social exclusion. Therefore, a need for change and reflection is needed in the Swedish Police Authority to avoid these things from happening as much as possible.

7. Future research

For future research, I believe having semi-structured interviews and collaborating with individuals such as Leandro Mulinari (criminologist at Stockholm University and the author of the report about racial profiling "Randomly Selected"), John Stauffer (chief lawyer at Civil Rights Defenders), Stefan Holgersson (a police officer and a professor in police science at Linköping University), Anders Thornberg (national police chief in Sweden), Tico Andreani-Fagnani (community youth worker), Agneta Broberg (The Equality Ombudsman) and Michael McEachrane (a guest researcher at Raoul Wallenberg Institute who has written about racial profiling) could be relevant and applicable. These individuals are all of interest and relevance considering that they have either worked with the topic of racial profiling or they have been part of law enforcement and they most likely have information and data. An NGO like Civil Rights Defenders could also be a relevant and interesting collaborator for future initiatives. Considering that this is a fairly new topic in the Swedish context, conducting this study later on

can be a relevant measure, since there will be more information available, since the possibility of there being perhaps more researchers and experts conducting different studies on this topic.

A public survey similar to the one FRA did but on a bigger scale with larger sample can be relevant to implement. Other types of survey questions specifically for Sweden's case could also be an option as a way to see what the Swedish public thinks about perceived racial/ethnic profiling by police, if they have experienced something like racial profiling and other questions. Furthermore, group interviews and semi-structured interviews with the public can also work in this scenario however, gathering a sample of individuals who have foreign background and that have been stopped by police is a very narrow sample that might be difficult to find. Perhaps it would work when collaborating with Leandro Mulinari, FRA or Civil Rights Defenders that have done interviews about this topic before and have access to that type of sample.

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