

## RACIALISATION IN POLICE STOP AND SEARCH PRACTICE – THE NORWEGIAN CASE

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**Abstract.** This paper explores the reasons for the conflictual relationship between the police and ethnic minority men in stop and search encounters, which leads to the often heard allegation that “*All police are racists.*” It deals with stop and search practices in Oslo as described in interviews with ethnic minority informants and police officers, and as observed through fieldwork amongst the Oslo police rank and file. The approach is qualitative, and explores the perceptions of those stopped by the police, as well as the police’s perception of stops and ethnic minority groups. The paper explores a few individual cases in depth to provide an alternative reading of stop and search that is lacking in the mainstay of quantitative studies. The first case analysed has a perspective which emphasises the interaction as it unfolds between the police and the ethnic minority man stopped, and explores the reasons for the resulting escalation. Elements of the stop which are analysed include the police’s refusal to explain the stop; this in turn causes disrespect on both sides which results in invectives, resistance, bystander involvement, and the police officers’ call for assistance. The other cases analysed in the paper are, to a higher degree, viewed in the light of police perceptions of and their contextual experiences regarding ethnic minorities. The complexity in the analysis corresponds to the complexity determining stop situations. Regular stop situations and their outcomes involve vague descriptions and the police’s lack of discernment in consideration of suspects from different ethnic minority groups. Police stereotyping accounts for what ethnic minority men perceive as unjustified stop and search, with the findings suggesting that the Oslo police practice ‘car profiling’ as much as ethnic profiling. To this end it is suggested in the paper that the combination of having dark skin and driving a BMW exposes ethnic minority men to stop and search.

### Introducing the Research and the Norwegian Context<sup>1</sup>

“*All police are racists.*” During the course of my research in Oslo I heard this often from ethnic minority males I interviewed. I intend to explore the basis for this allegation in order to throw some light on the conflictual relationship between the police and ethnic minority men so often observed (e.g. Holmberg 1999; Ansel-Henry and Jespersen 2003;

Granér 2004; Waddington 1999a, 2003). Attention will be given to both parties' experiences and perceptions of stop encounters in order to provide as complete a picture as possible (Sollund 2005).

What produces allegations of police racism? Rather than seeking to answer the question – 'Is stop exercised in a proportionate or disproportionate way?' – through quantitative methods, I will attempt to explain what produces stops through a qualitative approach. Much as Bittner (1967) studied how the police dealt with skid-row residents, this paper explores how the police deal with ethnic minorities. An interactionist approach to one stop and search incident will reveal how the meanings of the different actors in such an encounter are crucially forged and can only be understood in the conduct of and in the motivation for this interaction. This understanding is grounded on the ontological assumption that the social meaning actors give to their actions emerges not only from the stock of knowledge they bring to bear to make sense of a situation, but also through the experience of the process of interaction itself. Stop and search, I will contend, is precisely an encounter where the meanings that actors give to their experience are an emergent feature of the encounter. Three men's experiences will be the basis for the paper's discussion of how the Oslo police's context affects the way the police rank and file perceive their field of operation and their dispositions for action and the ways in which action is performed. Consequently ethnic minority men's experiences of stop and search will be analysed in the broader context of how the police conduct their work, and how they perceive ethnic minorities.

The aim of the paper is not only to contribute to the debate as to whether 'all police are racists' but also to show how and why this perception is confirmed in the eyes of ethnic minority men who often feel targeted, and how and why the predominantly white Norwegian police officers who stop them feel fervently that they are not racists. In particular, the paper explores how personal experiences derived from police encounters shape minority men's relationship with and perception of the police and how police experiences with minorities shape their attitudes and practices towards them.

The changing demography of Norway has a direct bearing on the issues under consideration. Until the 1970s, when the first labour immigrants<sup>2</sup> arrived, namely from Pakistan, Norway had a homogenous ethnic population. Since 1975, when limits on labour immigration were imposed, immigrants to Norway have mostly been refugees and persons immigrating for family reunification and, more recently, labour immigrants from new Eastern European EU member states. Many of them

settled in Oslo, where immigrants constitute 22% of the population, as compared to 8% of Norway's total population of about 4.5 million. A 72% of immigrants are of non-western origin (Statistics Norway 2005a). The paper's focus is therefore on visible ethnic minorities as determined by phenotypical features.

The experiences the paper documents below are specifically related to *stop and search* situations. This concept needs some clarification. While stop and search is well established and regulated within British legislation, in the Norwegian context it is not regulated; rather, it is based solely on police discretion and practice. There is no requirement that police register the ethnicity of persons stopped and searched; hence, there exists no database for use in determining whether ethnic minorities are stopped disproportionately. In order to search a car or person the police must have a reasonable suspicion that drugs or weapons are present or that some illegal activity is taking place according to § 195 in the Norwegian Criminal Procedure Act. 'Stop and search', as used here, will imply that somebody is approached and eventually stopped by the police while walking, driving or standing. It may entail a search of a person or car, but not necessarily. The person and/or the car may be checked against various police registers during the stop, but, again, this is not always undertaken.

The paper explores stop encounters in detail. The first stop encounter analysed began as a regular stop and search but escalated in a way which produced a dramatic effect upon the subject stopped. This example will convey some typical aspects of escalating stop situations, which were revealed in the course of my fieldwork with the Oslo police. The second example was also perceived as dramatic by the subject stopped, and will be analysed with respect to its background. Third and finally, the paper examines the background to and the effect of what may be defined as more regular and routine stop and search experiences. The differences in the outcomes of these situations may have their roots in the approaches adopted by individual police officers, which correspond to 'hard' and 'soft' stop situations (Hallsworth and McGuire 2004; Granér 2004), but may also, in turn, be affected by the reactions of those being stopped.

### *Stop and search of ethnic minorities*

Whether the police specifically target minorities for stop and search has been discussed by many researchers (Bowling 1998; Waddington 1999a, 2003; Reiner 1989, 2000 [1985]; Wasserman 1996; Choong 1997;

Holdaway 1996; Holmberg 1999, 2000; Holmberg and Kyvsgaard 2003; Young 1994; Hallsworth and McGuire 2004; Waddington et al. 2004).

As it is widely described, a decision to stop and search will be determined by the combination of a number of factors indicating that something is 'out of place' (Young 1991; Chan 1996; Douglas 1997; Holmberg 2000; Finstad 2003). Wasserman, for example, says, "*Police reliance on race usually comes into play in conjunction with more specific factors, such as similarity to witness description or suspicious conduct*" (1996: 120). One important question regarding the Norwegian context is whether control practice is based on phenotypical features alone, and thus prejudices. Prejudice is found to be an abiding element of the occupational culture of the police rank and file (Holdaway 1997), although Reiner sees it as rooted in the structural positions and roles of police officers generally, not just at the rank-and-file level (Reiner 1989:8).

A central question with respect to stop and search is whether minorities are stopped by the police because they are believed to be more likely than others to be involved in criminality? When controls are based on criminal statistics, which disproportionately show that some ethnic minority groups are over-represented in the criminal justice system, certain ethnic minorities will be seen by the police as 'risk groups' and may, therefore, be targets for control despite the absence of indicators of individual's criminality (Holmberg 2000: 188; Levin in Wasserman 1996). Control practice is not taking place in an empty space, and opinions and stories which are reality-based and circulating amongst the police rank and file may, as well as providing guides for conduct (Shearing and Ericson 1991), lead to stereotyping of certain groups. This will have an impact on control practice and the ways in which this is conducted. Bittner (1967) notes that restriction of interactional possibilities based on stereotyped conceptions of skid-row residents will be subject to revision and modification toward particular individuals as encounters occur. Still he still sees that:

"The awareness of possibility of breakdown, frustration and betrayal is ever-present, basic wariness is never wholly dissipated, and undaunted trust can never be fully reconciled with presence on skid-row" (Bittner 1967: 705). In this sense it is possible that although stereotypes may be altered, there is still the risk that they will affect the ways in which an officer enters a situation.

Another question to consider is what part do minorities themselves play in the interaction in a stop situation, and how do they eventually affect

it? It is a general finding that when stopped, minorities tend to show more disrespect to the police than the majority population does, and that this is part of the conflictual relationship between them (Waddington 1999a, 2003; Holmberg 1999; Ansel Henry and Jespersen 2003; Granér 2004:). Waddington (1999a) states, for example:

“ (...) many young black men have adopted a style of ‘resistance through ritual’. However ritualistic such resistance may be, it can also engender reciprocated hostility” (Waddington 1999a: 6,7).

Still this claim is disputed:

“During contact and processing, a person’s race is not a statistically significant predictor of demeanour shown towards the police. Blacks and whites are equally likely to be calm and civil towards police at both contacting and processing” (Choong 1997: 58).

Assuming that resistance is more likely on the part of ethnic minorities, it may be due to their greater sensitivity to police controls because they suffer from a general marginalisation in society (Solomos 2003: 124). Holdaway says that some features of routine policing may cause no conflict when white people are policed, but create great tension when involving blacks and Asians (1996: 76).

### *Methodology*

My fieldwork, reported in this paper, included observation of rank and file police officers in three Oslo police stations over 38 shifts, 3 days of observation in the reception of one police station, and semi-structured interviews with two samples totalling 20 officers of different rank, position, gender and ethnicity.<sup>3</sup> I rode with 88 different officers on patrol, some of them on several occasions. These officers were all informally interviewed during the hours of patrol service, e.g. regarding the police’s relationship with ethnic minorities, their motivation for police work and how they perceived their role. The field notes comprise 157 densely typewritten pages. Furthermore I have conducted semi-structured interviews with four samples of ethnic minority men and one woman totalling 18 individuals. The formal interviews lasted from 1½ to 3 hours and were taped. The first two samples were strategic, in the sense that they were drawn from universes of persons with specific police experiences and/or positions in different organisations. The third sample was randomly drawn through a youth project, while two informants were recruited through the snowball method.

Unlike other researchers who have begun their careers as police officers (Holdaway 1996, Young 1997), I entered the police world as an outsider, often feeling like an uninvited stranger with few possibilities of hiding the purpose of my presence. I chose to regard my outsider status as an asset in the sense that I could openly ask questions about the police-minority relationship to the officers I rode with on patrol. This often provoked reactions which provided me with rich data. Abuse and racist acts caused by some 'bad apple in a clean barrel' (Reiner 2000) may be hard to detect because police officers may hide prejudiced opinions and actions in the presence of a researcher. Bowling claims that the researcher will affect the behaviour of the observed, and that the reason why researchers rarely have observed the use of racist language or clear racial discrimination in street encounters between the police and ethnic minorities is indeed because of their own presence (Bowling 1998: 296). However researchers' observations have paved the way for our knowledge about police abuse of power (Finstad 2003; Reiss in Worden 1996). I discovered that what the police officers do, and what they say they do, are not necessarily the same. The police officers seemed surprisingly outspoken in the interviews, revealing more about police practice – or at least what they said they did – than observational data alone could provide.

In what follows I will analyse a stop and search encounter, as perceived by the ethnic minority participant, by adopting an interactionist approach. I will then reinterpret this in the context of data from the interviews conducted with the police as well as observational data.

### **Peter's<sup>4</sup> Story**

Peter (34) is British, his mother of African descent. He has experienced several stop and search encounters since he moved to Norway. The following is the most dramatic. It took place one morning as he was driving to work and stopped by the police.

The police first spotted Peter as he waited in his car on the opposite side of a junction facing them waiting for a traffic light to change. As Peter drove the police turned, followed, and stopped him. Peter got out of his car to ask what they wanted, but realised too late that this is the wrong procedure to adopt in Norway when stopped by the police, where the driver is supposed to remain in the car. He says: "*I was not angry, but the only reply I got was, 'registration book and driver's license'.*" He went to get the registration book while the two young police officers, a

man and a woman, remained in their car. Peter had forgotten his wallet with his driving licence at work, but suggested that the officers follow him to his workplace nearby if they needed to see it. But they did not respond. Then they searched his car. Peter told me this made him increasingly more stressed because he had to get to work. So he walked around the police car to talk to the woman officer:

“She was 25, 26 years and very pretty, and looked nice, I thought I could talk with her, so I asked again, ‘Why are you stopping me? What have I done?’ Then I noticed that there were a lot of people watching. But I got no reply and started to get angry. And I could see she was irritated, and I asked, ‘What have I done?’ Then she said, ‘Hold kjeft jævla neger!’ [Shut up bloody [devilish] negro!] And the people around said, ‘She should not talk to you in that way.’ Then I called her a ‘fucking bitch.’”

Peter started to collect names from bystanders,<sup>5</sup> they were about a hundred, and, as he says, “*Things were becoming pretty tense.*” Somebody from a nearby sporting goods store came out and invited him to have a coffee to calm down. Meanwhile the police had called for reinforcements and as Peter came out again and walked towards his car a police van with several police officers appeared. They jumped out and one told him, “*Lay down on the ground and put your hands behind your back, stupid.*” Peter asked again, “*What the fuck have I done?*” He was shocked and tried to get into his car, but then eight or nine officers jumped on him and he was pushed against his car, heard something scraping it and thought, ‘*It will be ruined.*’ Peter explains that they tried to get hold of his arm, adding that he has an injury in one eye and risks losing the sight in it. They hit him in the face, breaking his glasses; he tried to protect his eye. The fight continued. Peter was very angry at this stage and the officers tried to get control of him. This gets more problematic as the people around come to Peter’s assistance, saying, “*We will help you, brother.*” The struggle continued, with one police officer holding tight around Peter’s neck. Peter says, “*I understood nothing. I wanted to go to work.*” Then Peter was handcuffed and carried into the police van, and subsequently put in detention where he remained for 24 hours, accused<sup>6</sup> of using violence against a public servant.

Peter’s story describes an escalation which is almost surreal. On an ordinary morning on the way to work he gets involved in a fight with the police, and is detained for 24 hours. This leads to a trial where he is accused and convicted of violence against the police, and sentenced to

pay a fine. Taken at face value, this may look like an example of police racism. However, before we accept this it pays to examine a range of other factors which may have intervened to produce this outcome. Why did a regular stop situation escalate so dramatically?

### *What Aroused Police Attention?*

I will start with the stop itself. According to Peter, the only reason he is frequently stopped, not only when he is driving, but also when he is riding his expensive bike, is the colour of his skin. It is, however, also likely that the police officers stopped him because Peter was driving a BMW. This is a make of car which is frequently stolen, as well as being the make of car preferred by known gang members, according to my police informants. The experience of being stopped driving a BMW is one Peter shares with many of my minority informants, a point I will return to later in the paper.

Counter to Peter's belief, it is possible that the police officers in question did not have the time to establish Peter's skin colour. As research in the UK has shown, determining the ethnicity of drivers is by no means easy (Hallsworth and McGuire 2004; Waddington et al. 2004). Still, it is unlikely that the police had difficulty in determining his skin colour as they were facing him at the crossroads while they were waiting for the traffic lights to change. It is also possible that it was something about Peter's driving which aroused the police officers' attention. He was in a hurry on his way to work, and may, for example, have driven too fast. But it is unlikely that the police had been checking his driving speed because they were *across* the junction from Peter, who was stopped at the time.

If the police requested a number plate check via their radio from the Operations Centre, which is done depending on the police's capacity at the time of a stop, they may have established that Peter had been stopped many times before. This may have provoked the stop. For Peter, the consequence of the stop was immense irritation exacerbated by accumulated stop situations, which on this occasion prevented him from getting to work.

### *Disrespect on both Sides*

Peter's behaviour towards the police, who may have been unaware of his former experiences if they did not contact the Operation's Centre, likely contributed to the escalation of the situation. In the first place he



felt that they disrespected him. He got angry about what he considered as an unjustified stop. But the police could have concluded that *they* were being disrespected by Peter. Of course, each party had different reasons for feeling as they did. As I found in my interviews with police officers, the majority claimed on the basis of direct experience that men of ethnic minority background refuse to acknowledge or respect police authority, consistently challenge police motives, and accuse police of racism (see also Holmberg 1999; Waddington 1999a, 2003; Ansel-Henry and Jespersen 2003; Waddington et al. 2004). Leaving his car could thus have been registered by the officers concerned as symptomatic of someone breaking stop protocol. Peter's subsequent behaviour may have confirmed to the police the stereotype of the antagonistic ethnic minority male, which in turn led them to use force to impose order. By questioning police authority Peter contributed to the arrest. Bittner (1967: 708) sees the refusal to answer questions and the demand to know why questions are posed as significantly enhancing a person's chances of being arrested on some minor charge. Unfortunately this climate of mistrust may have enhanced the further escalation: "*Such hostile encounters seem to rest on a pervasive hostility to the police that initiates a cycle of escalation terminating in arrest for disorderly conduct*" (Waddington 2003: 54).

Peter was certainly angered that the police stopped and delayed him. His stress was also accentuated by the police's refusal to explain the stop. Their silence itself requires some elaboration because it clearly angered Peter further. Silence may be a tactic routinely employed by police officers in stop situations and be perceived as a justifiable response to someone behaving aggressively and disrespectfully towards them. It can have been employed as a tactic to calm him down rather than doing the opposite, entering into discussion. On the other hand, as observed through the fieldwork and confirmed in the interviews, officers typically choose to go out either 'high', displaying their authority immediately, or 'low'<sup>7</sup>, showing a willingness to calm the public down by talk and negotiations (Finstad 2003; Granér 2004). Explaining the last approach one officer says:<sup>8</sup>

"If you go out too high, then you have nothing left to use in the case of disobedience. Then the situation is likely to end with the use of physical force, which I want to avoid." Another officer who chooses to go out 'high' explains: "I always make it perfectly clear to begin with that I do not accept to enter into discussion in order to avoid an escalation."

The officers' silence on this occasion may have been part of such a 'high' approach. Peter interpreted their silent refusal to answer his questions as disrespect.

But the police woman really ignited the situation when she said, "*Shut up bloody negro!*" Independent of the officer's attitudes towards minorities, this expression confirmed to Peter that the stop was indeed the result of racist attitudes; thereafter the situation escalated. Many researchers have found that the police use derogatory language about ethnic minorities (Holdaway 1996, 1997; Holmberg 1999; Reiner 2000; Waddington 1999b, 2003; Finstad 2003). It has however been emphasised that the police's canteen use of demeaning nicknames does not necessarily translate into such use in their encounters with the public. There is supposed to be a difference between what the police say *to* people and what they say *about* them (Waddington 1999b, 2003). The police's denigratory comments about certain members of the public may be their way of releasing frustrations connected to their work (Granér 2004). As police said in the interviews, it may also be part of 'grim humour'; as "Karen", one police officer, says: "*We 'throw a lot of dirt' about them [minorities] in the canteen, but never to them. Our job is so unpleasant, we are spat on and scolded by the public, it [the language] is not meant that way.*" The police officers I interviewed thus confirmed the use of derogatory language about minorities, such as '*sotrør*' [coalpipe], and '*pakkis*' [paki(stani)]. The fact that many of the officers openly admitted to using such terms may in itself, as they claim, indicate that such terms are not used in direct contacts *with* people. This, described as a golden rule, was broken by the police officer saying: '*Shut up bloody negro!*'

Peter's reaction to the derogatory police outburst may have been increased by the fact that the officer was a woman. Peter perceived her as 'nice' and may have expected to be treated with more respect precisely because she was a woman. If the outburst had been performed by the male officer, it might to a greater degree have corresponded to Peter's expectations of the 'racist police'. As it was, what may be perceived as his stereotyping of 'young, pretty nice looking women' may have misled him to believe that she could more easily be intimidated to provide him with the answer he required; for example because of his physical strength. His reaction may have corresponded to his frustration when this failed, and is reflected in his outburst '*fucking bitch*'. This may, as much as her reply '*jævla neger*', be a symptom of stereotyping and demeaning attitudes towards women in general and police women specifically.

Derogatory language used plays an important role in defining those who 'needs to be controlled' (Cohen 2001) and however innocuous its user considers it to be, may create, fortify and confirm social distance (Christie 1982; Katz 1988). The police may thus create distance between themselves and the public by using such derogatory terms as 'slask', 'sotrør', 'pakkis' 'nig-nog' 'nigger' 'toe-rag', 'scumbag', 'scrote' and 'puker'.

Indeed, the contempt for the public indicated by the use of such terms might even contribute to the use of force by police:

"If the police can persuade themselves that those against whom coercive authority is exercised are contemptible, no moral dilemmas are experienced – the policed section of the population 'deserve' it" (Waddington 1999b: 301).

The derogatory language used by both parties could be perceived as simply angry outbursts rather than as conscious attempts to disrespect the other. Peter's exclamation 'fucking bitch' was inappropriate and only worsened matters; furthermore, it must have confirmed to the police that he was aggressively challenging their authority. Some police officers say that they must "*accept to be scolded by the public*", and that "*this is part of the job*"; however, many do not accept this, and will charge people for molesting a public servant if they use such language with the police. When I discussed the issue of disrespect and disobedience with police officers they often, while shaking their heads with laughter, referred to 'clients' who would "*talk themselves into custody*". This may have been, in the police's perspective, what Peter did.

### *Resistance*

Peter obviously resisted arrest. Citizens who oppose the police, resist arrest or reject the police's comprehension of the situation run a greater risk of being treated severely by police than those who are polite and submissive (Holmberg 1999: 101, Carmichael et al. 2002). Furthermore, they will be arrested more frequently. Worden claims that: "*[This research] has consistently shown that arrest is influenced by the demeanour of the suspects—arrest is more likely if the suspect is antagonistic and disrespectful to the police*" (Worden in Geller et al. (eds.) 1996: 24).

Holmberg (1999) also maintains that those who are perceived as 'regular police customers' will receive rougher treatment than the ordinary citizen. Similarly, Granér shows that to belong to those who in

the Swedish police context are referred to as *'buset'* increases the likelihood that the police will use force and violence. Waddington (1999a) states that in the UK (black and ethnic minority) immigrants who arrived after the second world war were considered to be 'police property', a situation which is replicated in other countries ('police property' meaning low-status powerless groups, such as vagrants, alcoholics, prostitutes, the unemployed, and ethnic minorities, whose social control is left to the police (see also Reiner 1989: 18; 2000: 93)). If Peter was considered as such, that itself may have played a part in the treatment he received. It is also probable that it implied an element of disciplining (Bittner 1967; Choong 1997; Granér 2004).

It is likely that Peter's growing physical resistance made the police officers more eager to get him under control and arrest him. If the police did not initially consider him to be an adversary, they probably eventually did so because of his resistance. Were the police incapable of calming down the situation, or did they not really want to? Choong (1997) even found that the police officers in his study could *create* 'action' in encounters with the population by behaving in a manner intended to provoke violent reaction. As we saw above, silence might have been one way in which this was accomplished, the racist epithet the other.

### *Bystander Effects*

The crowd's vocal support of Peter as the conflict escalated could have caused the police to feel the need to demonstrate their authority to both Peter and the crowd. Such behaviour appears consistent with Worden's (1996) argument which suggests that those who are subject to police control must not convey contempt of the police when there are witnesses present, because this encourages a harder police response. Waddington (2003: 154) and Reiner (2000: 133) claim, likewise, that the police feel it is imperative to maintain respect and control when onlookers are present. This is consistent with my fieldwork: I observed that authority was exercised more often and arrests were more likely on Saturday nights when many onlookers were present, and when the police's tolerance was correspondingly lower. One officer says, "*We cannot permit such behaviour [disrespect] when people are gathering because then things would turn into chaos.*" If there had not been witnesses present it is more likely that the police would have let Peter go (see Bittner 1967: 712). The large crowd of 100 bystanders obviously supported Peter instead of the police; therefore, the police may have felt

threatened such that they were more inclined to use force to demonstrate their power. This may also be read as a future investment in respect and obedience. Paradoxically, the large crowd made Peter feel safe precisely *because* there were witnesses present supporting him.

### *The 'Police's Call for Assistance'*

The police officers' call for assistance likely contributed to the escalation because of the line between 'us' – the police – on one side, and 'them' – the population – on the other (Manning 1978; Holmberg 1999; Reiner 2000; Granér 2004). It is well documented that this division produces loyalty amongst police officers. McNamara, for example, says, "... *in responding to the grievances made against them, officers bond together against a common enemy (nonpolice) and the adversary creates strong ties of allegiance*" (McNamara 2002: 54).

This 'us and them' division may even cause the police to consider subjects to be far more dangerous than they actually are. Peter's behaviour may have led the police officers to believe that he was like those who Skolnick describes as 'symbolic assailants': (...) *who use gesture, language, and attire that the police have come to regard as a prelude to violence*" (1994: 44). Because of this the officers who assisted may have preferred to go out 'high' instead of 'low', using force when perhaps it was not really called for.

Support for fellow officers in trouble is a norm well embodied in the police force and this may also help explain the escalation. The police officers I interviewed say that the call 'colleague in danger' is what really produces 'action' amongst them. Such manifestation of loyalty, in this case a group of officers coercively restraining someone they believed was resisting arrest, is also accentuated by the context of the street situation itself. This is what the police *perceive* to be 'real police work', a perception upheld by storytelling<sup>9</sup> involving action, rather than long tedious hours of patrol work when nothing happens. 'Real' police work includes 'catching a crook', and confronting dangerous situations; thus 'action and excitement' (Choong 1997; Holmberg 1999; Waddington 1999b; Reiner 2000; Finstad 2003; Granér 2004). Although doing this sort of 'real police work' is what motivated a lot of my police informants to enter the profession, they eventually confront a far different reality – only 7–10% of requests for assistance actually involve crime (Bayley 2005). A knock on effect of this lack of 'action' is that police seek situations involving 'real police work'. One example from my fieldwork may exemplify this:

I was driving one Friday night with a “POP-patrol” supposed to do ‘problem oriented policing’ (Goldstein 1990). POP-patrols are the last ones to be directed to tasks as they are expected to work proactively. We overheard on the radio that another patrol was directed to what was described as a “*gang fight involving Somali youth*”. The officer driving looked at the others and said “*Shall we go?*”, to which the others enthusiastically responded “Yes”. The sirens were put on and we drove very hastily to the spot, outside this patrol’s district, where at least five–six other police cars appeared. This implied that not only did the patrols belonging to the district go, patrols from three districts all drove to the spot, although only one was directed there. As it turned out there was no fight. Somebody had stolen a wallet from a drunken boy.

The time of day when the incident involving Peter occurred may have contributed to the large police presence. The rank and file officers drive around waiting for something to happen. Therefore, officers must have welcomed a call to assist colleagues to subdue an aggressive man resisting arrest. They got both action and a chance to do ‘real police work’ by catching a police adversary. The police’s rush to the scene confirmed to Peter that he was the victim of a racist police attack. I will now explore what may lie behind another stop by examining how the police perceive ethnic minorities.

### **Tran’s Story**

Tran (20), with Vietnamese background, has been stopped and searched many times, mainly when, like Peter, he is driving his ten-year old BMW. However, the worst incident, in his opinion, occurred when he was on foot together with a friend. He was 16 and came from a party in central Oslo. Tran and his friend had exchanged mobile phones and he was about to put his in his bag when two civilian police officers arrived:

“They just ran towards us and hit us to the ground. The scariest part was that they wore ordinary clothes, worn out denim jeans and jackets. One of them had long hair the other had a short cut, I thought they were Nazis, it was really scary. I realized pretty soon that they were police because another police car came and they handcuffed us. Then we were each dragged into our corner and asked whether we had been at the main square three minutes ago. They asked whether we had been wearing other hats and jackets and

I did not understand why they asked. We had to take off our shoes, jackets and sweaters. And they took a stranglehold on my friend and he got scratches and I was thrown head first into the brick wall—it seemed to last for ages. (I could not sleep for a long time afterwards.) And then a Black Maria came, and they [the officers in the van] said, ‘It was not them.’ And they just left. From then on I have had no confidence in the police.”

Tran figured out that there had probably been a robbery, and he realised that the police could have been justified in stopping them on the basis of suspect descriptions. However, he did not accept the police’s actions as either just or appropriate. As with Peter, Tran’s experience has greatly diminished his trust in the police. He initially felt terrified, as he thought he was being attacked by racist neo-Nazis. He says that even when he realised that his attackers were police officers he felt no sense of relief, because he realised that if the police could treat him in such a way, nobody could protect him.

### *Vague Descriptions*

On this occasion the police were obviously looking for someone particular. It is relevant to consider the language used in police radio broadcasts and amongst officers to refer to ethnic minorities. The term ‘*negro*’ [Norwegian ‘*neger*’] is frequently used by police officers, despite a heated debate in Norwegian newspapers where black people themselves said they considered the term to be racist.<sup>10</sup> The vast majority of the more than one hundred police officers with whom I discussed the matter maintained their ‘right’ to use the term which they regard as purely ‘descriptive’, despite the debate. Consequently, this vague ‘description’ is often heard over the police radio or in general station house meetings between shifts. Ironically, police use the broad term ‘Asian’ but do not use the term ‘African’, justifying this discrepancy by claiming that ‘African’ is not a precise enough term. Many of the officers, albeit defending such terms, complain that the use of them makes it difficult to find suspects because they are inaccurate.<sup>11</sup>

The even vaguer term ‘*foreigner*’ is often used by police. On one hand, this may be a neutral term which police use to refer to everybody who is not a Norwegian citizen. On the other hand it is a term commonly used by police to describe everyone who does not *look* like a *white* ‘Norwegian’. This implies, of course, that when the officers are told to simply look for two ‘foreigners’, they will stop many innocent

people solely on the basis of their ethnicity. If the police officers who stopped and searched Tran and his friend were looking for two ‘foreigners’, which is likely given the wide use of that term over the police radio, their stopping of the two would make sense, at least in the context of the police’s own logic. However, the officers who came to assist on the scene quickly established that the two were not the suspects being sought by the police.

The danger of making mistakes may be increased by these vague descriptions. At the same time, such terms are not generally regarded as culturally insensitive or overtly racist by many police officers. However, by their ordering of reality in this way, the police contribute to the widely held perception amongst minority groups that they are being racially targeted. Many of my ethnic minority informants had been stopped by the police, some of them many times. They had experiences similar to that of Tran, and most generally felt that they had been stopped solely on the basis of their looks. However, in order to give the police the benefit of the doubt, let us consider other possible explanations for their stopping of innocent minorities by studying another example from my fieldwork.

### “They All Look the Same to Me”

I was on patrol with two officers when we passed a man who appeared to be Vietnamese, like Tran. The driving officer asked the other officer, “*Is that someone we know?*” The other answered, “*I don’t know. They all look the same to me.*” His reply could be regarded as racial categorising based on apparent ethnicity, i.e. us-Norwegians (Westerners) – against them – Vietnamese (Asians) – and may therefore be evidence of ‘social distance’. It may, on the other hand, be a neutral expression of the generally accepted fact, supported by different research studies (see for example Anthony et al. 1992; Ferguson et al. 2001; Walker and Tanaka 2003; Smith 2004), that it is easier for people to distinguish between persons with physical features similar to their own than it is for them to distinguish between persons with physical features which are different from their own. As one officer remarked,

“I think it is difficult to distinguish [between] them. The ethnics<sup>12</sup> [sic] often have similar figures and hair. The gang members all look the same.” The colleague added, “Yes, it is quite hopeless. But we do not stop anybody because of skin colour.”



If such claims are indeed truthful, perhaps this, rather than racism, could have contributed to Tran's identification as a suspect. This phenomenon might be to blame for police stops of innocents.

The 'contact hypothesis' holds that the more interracial experience one has, the greater one's ability to distinguish between persons of ethnicities different from one's own (Walker and Tanaka 2003: 118). I found that many stops are made by the least experienced officers, those least able to make informed distinctions, due to younger police officers' hunger for 'catching a crook' (Klockars 1985; Finstad 2003; Granér 2004). Therefore, it may be considered a problem that many police officers leave street patrol work for investigative and administrative jobs at the very time that they *may* have developed the ability to make such informed distinctions. Furthermore, this problem is accentuated by the tendency I observed for officers to be recruited from areas with few immigrants, i.e. few recruits come from Oslo. Most officers I met had, prior to joining the force, no knowledge of or acquaintances among ethnic minority populations. Diversity training was, until recently, optional, and only a handful of the more than one hundred officers I interviewed had undergone such training.

### *Criminal Stereotyping*

Another problem is that many of the ethnic minority persons with whom officers have contact on the streets are involved in crime; that is the kind of crime which usually comes to the attention of patrol officers, e.g. pick pocketing and use and sale of drugs. Unfortunately, such contact is a two-edged sword, imparting necessary skills but perhaps hardening racial stereotyping by officers. Holdaway (1997: 24) claims that the essence of a stereotype is a rigid, one-dimensional presentation of a more diverse and multi-faceted phenomenon. Police work requires that officers correctly assess complex and ambiguous situations quickly. This requirement facilitates and reinforces stereotyping (Holdaway 1997; Holmberg 1999). The overrepresentation of some ethnic minorities in Norwegian criminal statistics (Gundersen et al. 2000) also affects both the police's proactive control and their targeting of some ethnic minority groups. It also contributes to stereotyping such as that shown in the following examples taken from my interviews with officers about police-ethnic minority relationships: "*Moroccans are pickpockets and never admit guilt*"; "*Somalians chew khat, don't want to work and beat up their wives*"; "*Kosovo Albanians are drug dealers.*" Such statements, describing the police's perceptions of reality, are part of the stories

about ethnic minorities which circulate amongst officers, eventually developing into general stereotypes. In turn these statements may contribute to forming officers' habitus<sup>13</sup> (Bourdieu 1995), and thus, their dispositions regarding control practice – the dictionary-, directory-, recipe- and axiomatic knowledge–, including the way the police distinguish between the 'rough' and the 'respectable', how they look for signs of the 'unusual', the need for police solidarity, as well as the police 'sense of a mission' (Chan 1996: 119–122). These aspects of police habits may contribute to stereotyping, which, in combination with a lack of distinguishing skills, is likely to have contributed to the police's use of force in Tran's case.

In sum, Peter and Tran interpreted their stops as racially motivated. The police's subsequent actions only re-enforced their interpretations because those actions indicated to them that the police feel that force is justified in dealing with ethnic minorities. Peter's and Tran's interpretations were further re-enforced by the numerous stop situations, which in their perspective are unjustified. The escalation in Peter's case shows that the interaction that develops in any stop situation has a great impact on its outcome, and that it is likely that resistance, invectives and accusations of racism may lead to arrest, as well as to stereotyping and 'disciplining' by the police. Although Peter played a part in the escalation, the police, through their exercise of force and the officer's racist remark, must take responsibility for certain factors that led to the stop's escalation.

The stop of Tran and his friend reflects a social distance between the police and ethnic minorities which leads to inaccurate, overly generalised, and even racist descriptions by police about them. Furthermore, the police's inability to distinguish between members of an ethnic minority group, e.g. Asians, may produce erroneous controls. Finally, the police's desire to do 'real police work', such as using force to 'catch crooks', only aggravates further the complex situation. I will now describe how 'regular' stop experiences, which do not escalate into violent conflict situations as described in the cases of Peter and Tran, may affect persons of ethnic minority background, and further explore the causes of such stops.

### **Khalid's Story**

Khalid (31), a student with a Pakistani background, has numerous stop and search experiences. The stops always take place when he is driving,

which may indicate that Oslo police are more suspicious of ethnic minorities when they are driving, and hence stop them more frequently in such situations. The stops themselves are not dramatic, and must be characterised as 'soft'. Khalid says:

"The experiences I have with the police are not so serious, but in sum they have given me insecurity when I spot a police car in the mirror. Usually I am stopped for no reason. They say it is a routine control and they check on the car's registration book and my driver's licence, and then they return to me and say it is okay. And they always wonder what I am doing there, and it is not necessarily in the evening or at night."

Several of the other minority informants had similar experiences. Khalid is stopped on average twice a month. Khalid and his brothers have a special interest in expensive cars and they share expenses to travel to Germany to buy them cheaply. They have bought BMWs and sports cars. Khalid emphasises that the cars must be part of the reason for the stops. He is often stopped at night and recognizes that he might appear more suspicious to police while driving at night. Khalid describes the effect that the frequent stops and searches have on him:

"It's stigmatising. At least when it happens this often and considering that my Norwegian friends are never stopped and they have driven equally expensive cars. Then you feel labelled and harassed." He says that he suffers under this and adds, "And I don't like the way I talk to them [the police], it is almost like the worker on the plantation talks to his master, I feel they have the power and I am afraid they shall find an excuse for making the situation worse."

### *The Car as a Symbol of (Ethnic) Criminality*

As Khalid says, the cars he drives may be part of the reason for the stops. The BMW has a dubious reputation among the police for two reasons: first, it is frequently stolen and, second, it is associated by police with the so-called A and B gangs in Oslo. These rival gangs have Pakistani backgrounds and have been involved in drug-related criminality and homicide. They have been front-page news<sup>14</sup> for many years, and the police have had a special interest in 'disturbing' them. This is related to the stories circulating about them, both publicly and within the police force, which contribute to define the Oslo police's work, both

proactively as well as reactively. One high ranking officer defended unjustified stops of minority men this way:

“We knew that they were driving around in the centre with deliveries of heroin. If they [young ethnic minority men] drive a BMW they must take the blame themselves, because then they look like crooks because someone from their own group, for example the A- and B-gangs, have made it a precedence for being criminal.”

Similarly, Smith (here in Waddington 2003) found that the British police equate a young black man driving an old Ford with criminality. Chan (1996) says that in Redfern, Sydney, an individual ‘out of place’ is an Aborigine driving a red Laser. Hence, vehicles themselves play a part in stop practice (Finstad 2003; Hallsworth and McGuire 2004; Waddington et al. 2004). Both shabby and expensive cars will raise suspicion.

In Khalid’s case, the officer clearly attempts to apply a sense of collective blame and to blame, at least in part, the drivers themselves for driving a make of car associated with criminality. Thus, not only must all young Pakistani-Norwegian men accept this blame, they must also accept that they risk being stopped if they drive a ‘suspicious’ car. He thus seems to be justifying stereotyping. As another officer said during patrol, “*I must confess, I stop dark-skinned men driving a BMW far more often than a white man, (not to mention a woman).*” Consequently, it seems that a dark-skinned driver contributes, together with the make of the car itself, to making the *car* suspicious. Officers communicate these suspicions in such a way that they eventually translate into guides for police practice (Shearing and Ericson 1991).

Khalid refuses to accept blame, despite recognising that he is stigmatised. He sees frequent stops as police harassment; he believes it should be fairly easy to establish through a search of police registers that a driver is not a known criminal. My fieldwork suggests, however, that often the officers at the Operations Centre are too busy to search registers. Because workload may make register searches difficult or impossible, officers might simply opt to conduct a stop and explain it as a ‘routine control’ to the driver.

### *Police Patrols and ‘Gut Feeling’*

Another reason to consider, which may also impact on ethnic minority men, is the police’s ‘hunting’ for ‘someone known to the police’ (Choong 1997; Holmberg 1999; Finstad 2003; Granér 2004). Khalid might have been mistaken for someone *else* known to the police; or perhaps he was

stopped *because* he was already known to them from his many past stops, or even because, as some police informants note, his stressful reaction upon seeing police provoked suspicion resulting in a stop.

Officers uniformly refer to a 'gut feeling' indicating that something is 'out of place'. Khalid could have provoked this feeling. Such suspicion may be viewed as one element in a chain consisting of *de facto* experiences, stereotypes and prejudices, in which prejudices are defined as: "*generalised attitudes based on learned beliefs and values that lead an individual or group of individuals to characterise or stereotype an ethnic group in a particular way that runs counter to objective facts*" (Holdaway 1996: 16).

One reason for stop and search practice is the character of police work itself. According to many ethnographic studies of policing, rank-and-file patrol service is conducted similarly in most countries (Waddington 2003), even as different as India and Norway (Bayley 1990). It involves patrolling by car and reactively responding to calls, and patrolling proactively to prevent and solve crimes (Manning 1978; Young 1991; Chan 1996; Kleinig 1996; Choong 1997; Holmberg 1999; Reiner 2000; Finstad 2003; Waddington 2003; Granér 2004). Such is the case in Oslo, despite efforts to change the ways police work (e.g. strategies such as Problem Oriented Policing (POP) (Goldstein 1990)). As Chan notes (1996), policy changes do not necessarily entail changes in police practices. Although it is claimed that patrolling has little preventative impact (Waddington 2003: 6), the majority of my police informants, when asked about stop and search, said, "*It is very important for both preventing and detecting crime.*"<sup>15</sup>

The Oslo police's workload is not heavy throughout the whole day and night; patrolling involves many quiet hours. Slack periods may cause proactive policing (Bayley 1990: 139). As Choong notes:

"Unfortunately, a combination of wanting to relieve boredom and needing arrests can lead some officers to engage in policing which can be viewed by citizens not only as unnecessary, but also as arbitrary and oppressive" (Choong 1997: 70).

## Conclusion

Frequent stops and searches cause many ethnic minority informants to view the police as racist. Similarly an investigation of police-immigrant

relations by the UK's Select Committee on Race Relations and Immigration (here in Solomos 2003: 125) found that youth of 'West Indian'<sup>16</sup> background in London accused the police of 'nigger hunting', although it was not proved that the Metropolitan police stopped and/or arrested black youths disproportionately. Hallsworth's et al. (2004) study of the Metropolitan police, and Waddington's et al. (2004) inquiry in Reading and Slough found, likewise, no such proof. Claims and counterclaims may result from a lack of communication which causes stereotyping and situations of conflict.

According to my observations, ethnic minority youth are wrong to believe they are stopped because of their physical appearance *alone*. Young boys hanging out at night will almost certainly provoke police interest. Both location and age may be factors which provoke stops (Chan 1996, Jefferson in Waddington et al., 2004). Still, youth persist in interpreting police interest to be caused by their looks rather than by the circumstances. Ethnic minority men become supersensitive about police stops because of their and their friends' histories of frequent stops. Waddington says:

"Those experiences are refracted through a culture that attributes meanings and significance and contains oppositional components (...) While such an oppositional culture effectively accounts for experience it also serves to de-couple discreet police actions and reactions to them. Thus, apparently innocuous behaviour on the part of the police can still elicit a negative reaction since its cultural meaning may be anything but innocuous" (Waddington 2003: 52).

However, upon further scrutiny it appeared to me that some youths, despite allegations of police racism, still had confidence in the police; indeed, as one said, "*The police are all right to you if you are all right to them.*" This may indicate that they do not consider *all* stops unjustified. Some seem to understand that circumstances – their behaviour, the location, and the hour – play a role, and some, for example, mentioned fights and conflicts they were involved in when the police arrived.

To return to the often heard accusation referred to at the beginning of this paper: Are all police racists as minority men frequently allege? I have not tried to answer this question; instead, I have tried to contribute to the debate by shedding light on how both sides in the police-minority men relationship view the issue of racial profiling. Given the hardened attitudes which both sides bring to a stop encounter, and considering the contexts in which meaning is established over time and in space,

I would urge a nuanced understanding which reflects the complexity which the issue generates. As this paper has shown in its analysis of stop incidents, one can perhaps understand why ethnic minority groups may feel racially targeted; furthermore, it is appropriate to recognise that in many cases their treatment falls short of what citizens should expect of a professional police force. A degree of cultural insensitivity is certainly present and at times, as the epithet 'shut up bloody Negro' suggests, this insensitivity can slide into something indistinguishable from outright and indefensible racism. On the other hand, and in fairness to the police, the perceptions they bring to a stop situation and their treatment of ethnic minorities are not (always) motivated by racism and ought not to be judged as such. The police approach stop encounters informed by stories, experiences and incidents. Conflictual relationships between the police and ethnic minorities exist in many countries, and because stories and experiences are contextually dependant it follows, therefore, that each conflictual relationship needs to be examined in that light in order to understand its full nature.

Shearman and Ericson (1991) claim that police storytelling provides a guide for conduct. But this storytelling is also mythological and as such may be both misinterpreted and given undue credence by inexperienced officers, eager to do 'real police work'. Because the police are trained to constantly look for things that seem 'out of place', it is possible to argue that their eagerness to find crime causes them to see it where in fact it is not. Police experiences and their common perceptions may thus contribute to stereotyping and racial profiling by the police. This may, however, be regarded as the natural outcome of the way police patrolling is conducted:

"Given the limited information, and the often limited amount of time in which to make a decision, it is inevitable that police officers have to rely on stereotypical information, and thus police by typology" (Holmberg 2000: 184).

Stereotypical misconceptions of ethnic minorities are likely to partly account both for the erroneous controls of Peter, Tran and his friend, and Khalid, and for the escalation in Peter's stop, and for the force in Tran's stop. As mentioned, the officers interviewed typically perceive ethnic minorities as disrespectful, disobedient, and harder to handle than ethnic Norwegians. Therefore minorities are at greater risk than others of 'talking themselves into custody', for example by accusations of racism: When this happens the police will have their prejudices confirmed and a vicious circle arises, in which the officers might adopt a

more authoritative, forceful approach in dealing with ethnic minorities, which in turn leads to resistance by them. If such resistance occurs in the presence of witnesses it is even more likely to produce an escalation. Such escalations may entail a general deterioration of the relationship between the police and ethnic minorities which becomes racialised (Holdaway 1996).

As shown, the police can have difficulties distinguishing between individuals belonging to certain ethnic categories. Vague descriptions of the ethnicity of subjects may increase erroneous stops of minorities. Furthermore, the insensitivity indicated by the terms  *neger* [negro] and *foreigner* may be due to a lack of experience. This in turn may be produced by and lead to a social distance which enhances the danger of unjustified stops.

Several of my ethnic minority informants were stopped late at night or in the early hours of the morning, or in high-crime areas where their presence may have aroused police suspicion. My police informants claimed that people, especially men, in those areas or at those times would be regarded with suspicion regardless of their ethnicity. The interviews with my minority informants do, however, confirm that drivers who are clearly from ethnic minority groups and who are driving BMWs or other expensive cars, or, in contrast, old, shabby cars, will run the extra risk of being stopped. Police officers admitted to intentionally stopping drivers of Pakistani descent who they suspected of gang affiliation. Therefore, driving a 'suspicious car' in combination with the driver's visible ethnic minority background are risk factors for being stopped. Sadly, given the tense relationship between police and minorities, even 'soft' stops and 'low' approaches may produce stigmatisation and emotional scars for the subjects of stops.

## Notes

1. I am grateful to Simon Hallsworth for valuable comments to early drafts of the paper, as well as to the migration unit at the Norwegian Social Research Institute and two anonymous referees.
2. An 'immigrant' according to Statistics Norway is as a person with neither parents nor grandparents born in Norway. As this implies that even persons who are born in Norway are considered to be immigrants, and as the concept immigrant has grown to have negative connotations (Gullestad 2002), I prefer the more neutral concept; ethnic minority.
3. Only one officer of those interviewed had a minority background, thus reflecting how few ethnic minority police officers there are in the Oslo police force.
4. All informants are anonymised.



5. The ethnicity of the crowd is unknown, but as this happened in an area of Oslo with a 26% immigrant population (Statistics Norway 2005b) it may be assumed that at least some of them were not ethnic Norwegians. The book in which he collected the signatures was gone when the car was returned to him.
6. This may be a case of what I refer to as *counter denunciations* which seem to be applied by the police when they have no obvious legal reason for bringing people in and keeping them in detention.
7. In some situations 'high' and 'low' stops may have a parallel in 'hard' and 'soft' stops, however in the police perspective a 'high' or 'low' approach may be a tactic adopted specifically in order to avoid a 'hard' stop and is the police officers' own terminology, while 'hard' and 'soft' stops are characterised as such by researchers (Granér 2004; Hallsworth and McGuire 2004).
8. With the exception of Peter's story, all quotations from informants are translated from Norwegian by the author.
9. An example of such storytelling was once during a patrol when one officer was showing a recently employed officer the district. As we were passing some buildings he says: "Once we were called to a fight there. A lot of 'negresser' [female blacks] were having a fight and we had to interfere." By elaborating on the story he told her that she should be aware of these houses and the people in them during patrol, but he also made it a story involving action and the unexpected challenges the police meet.
10. Gullestad (2005) analysed the debate and considers it as a "cultural and political struggle over the power to classify, define and label minority identities within the nation state" (p. 29).
11. Through the conversation it became clear that by Asian the police usually refer to Vietnamese, Chinese and Japanese, while when referring to Pakistanis, a relatively large minority group in Norway, the term Asian is not applied.
12. The way the officer calls ethnic minorities the 'ethnics', something which I have heard from many officers, is interesting because it may imply that they believe that only ethnic minorities belong to ethnic groups, which are in contrast to and different from 'us' (Barth 1998). 'The ethnics' become someone exotic.
13. Habitus is a system of bodily schemes and guidelines for practical action and interpretation of the world (Bourdieu 1995). It is an incorporation of the world's structures corresponding to a person's situation and experiences in the social and physical field.
14. See for example *Nettavisen* 05.11.05, VG 13.05.05, *Dagbladet*, 26.9.2000, *Dag-savisen* 4.6.2005, VG 19.3.2003.
15. This is despite the opinion of the leader of one police station that it was of minor importance.
16. 'West Indian' was a term used in UK which has now been replaced by the term 'Afro-Caribbean'.

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