

FIZ

Interactions with the police

My rights

A brochure for sex workers

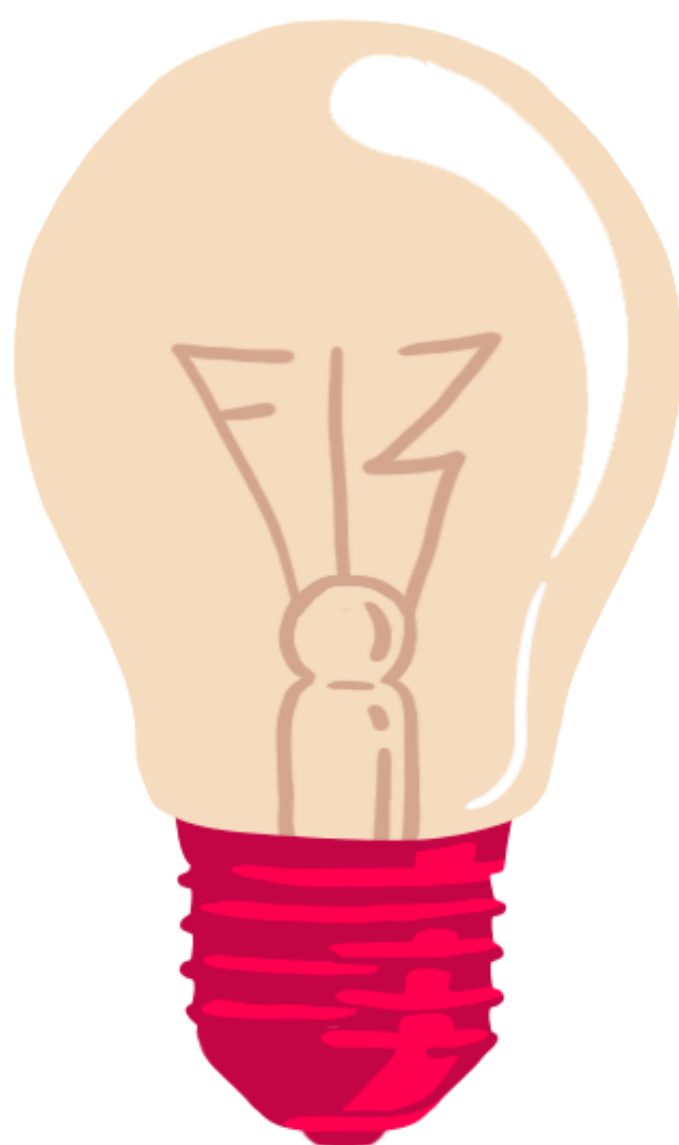


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Interacting with the police is often intimidating. You may feel unsure of what the police want or afraid of being fined or punished.

This brochure gives you an insight into what your rights are. Knowing your rights can give you confidence when dealing with the police.

Ultimately, you have to decide for yourself how you want to react. The important thing is that you feel comfortable with your behavior and act in a way that suits you.

1. General tips

Contact with the police can be very emotional. Nevertheless, try to remain calm while you are interacting with them.

It makes sense to prepare yourself for contact with the police. For example, police often contact sex workers on the basis of internet advertisements. A police officer pretends to be a customer and arranges a meeting. The inspection usually takes place at your place of work. This situation can be overwhelming. **Make a plan for your reaction in such a situation.**

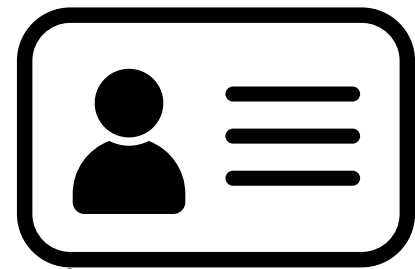
After a police interaction, it may make sense for you to write down exactly what happened, what you said and what the police said. Think about whether anyone witnessed the police check. Ask the person if you can name them as a witness. Share your notes with someone you trust.

The police often behave correctly, but unfortunately not always. If you think that your rights have been violated, contact a counselling center.

2. Identity check

The police have the right to check your identity at any time. The aim of these checks is to identify you as a person. This means that the police take your personal details. Personal details include the following information:

- First name / Last name
- Date of birth
- Place of residence / Nationality
- Address where you officially live and are registered
- Information on residence permit or registration procedure



Details of your place of work, profession, telephone number, etc. are NOT part of your personal details!

Your rights:

- Only the police are allowed to ask you for your personal details. Security staff are not allowed to do this. If you are not sure whether you are talking to the police, ask for ID (a police ID looks like an identity card). Take your time to look at the ID carefully.
- You may ask for the names of the police officers and write them down.

- You are not allowed to take a photo of the police ID. Ask for a business card. You are allowed to photograph these.
- You do not have to answer any questions that go beyond your personal details if you do not want to.
- You have the right to know the reason for the identity check.

3. House search

(Place of residence or work)

You are at home or at your workplace and the police want to search your rooms. The police are not allowed to do this just like that! They need a search warrant from a public prosecutor's office for all the rooms they want to search. This also applies to hotel rooms or hotel apartments. The following things must be laid out in the search warrant:

- Date of the search
- Purpose of the search
- Signature of the public prosecutor
- List of the rooms they want to search

Your rights:

- You may ask for the search warrant.
- You can refuse the police access to your rooms if they do not have a search warrant.
- The police may only search rooms that are mentioned on the search warrant.
- Plainclothes police often pretend to be customers first and only identify themselves as police when they are already in your home or workplace. In such cases, the police usually do not have a search warrant. In this case, you can ask the police to leave the room.
- If the police search your home/place of work without a warrant, this is illegal and the police are not allowed to use the evidence in court. If this happens to you, contact a counseling center.

4. Mobile phone search/ confiscation

Sometimes the police may want to take your mobile phone to collect evidence. They are allowed to confiscate the mobile phone if they suspect a criminal offense. But they can only search the phone with a warrant.

Sometimes the police ask for the phone's serial number. They do this to see if the mobile phone has been stolen.

Your rights:

- Only give your phone to the police if they explicitly request it.
- You do not have to unlock your phone when you give it to the police. Even if the police have a warrant to search your phone, you are not obliged to give them your phone code.
- Ask for a receipt if the police take your phone.

- It makes sense to have a good phone code. That way your data is safe. A numeric code is more secure than Face ID. And the longer your code, the more secure it is.
- You are not obliged to give the serial number of your phone. However, your phone may then be confiscated. If you have not stolen your phone, it makes sense to give this number.

5. Confiscation of money or objects

If a criminal act is suspected, the police may confiscate cash and objects.

Your rights:

- Ask for a receipt for everything the police take from you.
- The police may only take away your identity documents if they suspect that the documents are fake.

6. Interview at the police station

The police usually ask initial questions during an identity check. If a criminal offense is suspected, there is often an interview at the police station.

Your rights:

Translation

- You always have the right to a translation. Even if you speak/understand some German, it is worth asking for a translation.

Refusal to testify

- The only testimony you have to give is your personal details (see identity check).
- You have the right not to make any further testimony (i.e. you can answer the questions with: “I don't want to make a statement”). This will prevent you from incriminating yourself. **Important: It makes more sense not to make a testimony than to lie.**

- You have the right to give testimony at a later date, e.g. after you have spoken to a lawyer.

Protocol

- If you have given testimony, ask for a transcript of your statements. Read it carefully and only sign it if you have understood everything and agree with the transcript. You have the right to correct the testimony, but only **BEFORE** you sign.

Signature

- The police will give you various protocols/documents to sign. However, you do not have to sign anything. If you do not understand the document or do not agree with it, do not sign it! Tell the police that you refuse to sign it. This is your right and has no negative consequences.

7. Further questions and answers

When can the police take someone to the police station?

A police check can be continued at the police station if:

- the identity of a person cannot be established (e.g. because no ID is available)
- the police have doubts about the correctness of the personal details
- this is necessary to clarify or prevent a criminal offense

This means that the police can take you to the police station relatively easily.

Sometimes the police use this as leverage. Don't let this intimidate you and don't let yourself be forced to make a statement if you don't want to.

Are customs officers allowed to carry out identity checks?

Yes, they are allowed to carry out identity checks.

Where can I enquire whether there is an entry about me in the “MIDA milieu database” of the city of Zurich?

Anyone can request access to police reports on their own person (including the MIDA criminal records database).

The instructions and the form can be [found here](#) (in German):



Is there a problem if I film the police (with the cameras I have permanently installed in my rooms)?

In public spaces, photography and filming is permitted. However, faces must not be recognizable (no portrait shots).

On your own premises, the police may also be filmed with recognizable faces.

Do you have any further questions or need support? Get in touch with us!

FIZ is an independent advice center. The aim of our counseling work is to strengthen the self-determination and rights of migrant women. We support them in defending themselves against exploitation and violence, asserting their rights and interests, and finding their way out of difficult situations. Our counseling services are confidential and free of charge. We can advise you in the language you require.

FIZ

- **Advocacy and support
for migrant women and
victims of trafficking**

Hohlstrasse 511
8048 Zürich



044 436 90 00
(Mon-Fri 9-17h)



076 506 74 92
(Mon-Fri 9-17h)

Additional resources

Are you being accused by the police or have you been arrested?

Here you can get a lawyer (for a fee; or if you have no money, the state may cover the costs):

Pikett Strafverteidigung Zürich

(available 24 hours, 365 days a year)

044 201 00 10

info@pikett-strafverteidigung.ch

www.pikett-strafverteidigung.ch

Anwaltskollektiv (Lawyer collective)

(Mo-Fr 12:30-18:00 Uhr)

For support in criminal proceedings

044 241 24 33

auskunft@anwaltskollektiv.ch

www.anwaltskollektiv.ch

Brochure:

[“Criminal investigation - what to do?”](#)

(available in different languages)

