

# What to do in case of a police raid

This is a guide for best practice regarding police raids and police showing up at your door in Denmark. Read this, hang it on the inside of your front door, and talk to your roommates about how you want to react.

## The police is at my door - what do I do?

Do not open the door. If the police is asking to be let in, do not let them in. Ask them what and who they are here for. Do not give them any information and do not confirm anything they ask for. (like whether a certain person lives here)

What I am legally required to tell the police?
<ul style="list-style-type: none"><li>- Your name, birthday and address. Nothing else.</li><li>- You are NOT legally required to answer any of their questions or tell them anything. They are trained to make you talk to them, but do not get caught up in small talk. They will use all information against you and your friends.</li></ul>

## How to act:

1. Try to stay as calm as possible! Immediately and while you still can, call a friend. Ask them to contact a lawyer and inform more friends.

2. Ask to see the search warrant and read it through as calmly and carefully as possible. Tell the police officers to wait until you have read the entire document.

Consider the following questions:

- In which names is the warrant issued?
- Are there any other names on the warrant?
- Which premises are to be searched?
- What is the allegation or suspicion?
- Is there an arrest warrant?

If you can still make a phone call, then pass this information on – either to a lawyer or to the friend you contacted before. If you are under arrest, you have the right to call a lawyer.

Besides, you have the right to have a witness present, whom you trust. Tell the police to wait until you have found a suitable witness.

3. The police can search your home if these two requirements are met:

**1:** There is a concrete suspicion concerning you, that you have committed a crime to such a degree that it could be punished with prison.

**2:** It is suspected, that a raid of your home would give decisive leads in your case.

If the police is acting in "imminent danger", or if they believe evidence would be destroyed, they do not need a search warrant.

Instead of ringing the door bell and showing you the warrant, the police officers might break down your door and wake you from your sleep. Even then, insist on your rights!

4. Object to the search and have your objection recorded. The police officers and you should sign it. The objection is useful for later proceedings. If the police do not have a search warrant, insist that they have to get the raid tried in court within 24 hours.

The police can only search the rooms that are accessible to the person(s) that the search warrant indicates. This includes private rooms, and common spaces such as the kitchen, bathroom, cellar, attic and outside buildings. Besides, this also include your partner's or children's room. Clearly mark which room is yours in your co-living space, so the police can not claim to search your roommates' rooms.

It takes a lot of insistence and arguing to prevent the search of individual rooms, but it is worth it!

The police officers usually try to search all rooms at the same time. Insist that you and a witness authorised by you are present in each room, while the police carry out the raid. The police might want to take things with them. Items they suspect have been used in a crime can be confiscated. Items can also be confiscated to cover legal costs. The belongings should be given back to you, but

possibly not until the case has been closed. However, items that are illegal to possess, will not be returned.

At the end of the search, the police will make a search report, which you will be asked to sign. Only sign the report if you are certain that you fully understand and agree with what has been recorded. If the report can in any way be understood in such a way, that you accept the charges or that you plead guilty, do not sign it.

Read the report slowly and carefully to make sure you understand everything. If there is something you do not understand, ask. If something is missing, ask for it to be added, eg. rooms actually searched, confiscated items, items that have been searched, such as notebooks, cars etc.

There is enough time - your day is ruined anyway.

Everything they take, should be noted down as precisely as possible (name, colour, size, location etc.), so nothing can be confused or added later. Even if nothing is taken, this must be recorded, too. If there are any edits to the reports, make sure they are added to the report before you sign it. Remember, legally you are not required to sign the report.

## **What if I'm not home?**

If you live with other people, and some of them are home, they should follow the same proceedings if they can. They should try to contact you, without it being apparent to the police. Try to consult a lawyer before going home.

## **Complaints**

You have the right to file a complaint regarding the way the search was done, because police is supposed to follow certain rules. The police is supposed to damage as little as possible, and they should in theory conduct the search at times where it draws the least attention.

## **A house search at my place? Never!**

If you are thinking you will never be subjugated to a house search, hopefully you are right. But if not, all of a sudden the cops are there and take your stuff. Better to be prepared. Therefore:

- Clean up! Do not let any material that could be used against you in a criminal proceeding lay around. Encrypt your data on your laptop, phone and drives. Turn off your devices for the encryption to work.

- Even coincidental finds such as drugs and weapons will be harmful to your case.
- Talk with your roommates about how to handle police showing up at your door. They might be the ones facing the police, even if the warrant is for you.

## **We stand in solidarity**

What if a comrade's house gets searched? For all those subjugated to a house search it is extremely helpful not to be alone during that time. Show up at your friends house, when you are notified about the search. Bring more people, and help support them and document the search.

## **If you are a supporter/observer**

We show up for each other, especially when the police is invading our homes, to make the affected person feel empowered and supported. So we let people know when this is going on, and call friends that can then further spread the word. If you are in such a support role, there are a few things that can be good to know:

- You are often not allowed into the house, sometimes not even onto the property. Often the police is especially agitated in the beginning and won't allow anything - but that can change over the course of the search. It's worth trying again and again, also at different places of entry.
- You will often be asked to tell your personal information! See the box with "What I am legally required to tell the police"
- Anyone standing outside should keep an eye on the police behaviour, since the people inside have enough to take care of already. Do they search the outer buildings? Do they have two witnesses with them, that the person that is being raided trusts. Otherwise you can interfere and ask for them to get them. Write a memory log with what you observe.

## **After the search**

Directly after the search, write your own record of what happened. It should include times, what happened and what was being said. List the confiscated items, and write down if you had to make any changes to the official protocol. Also, write down any procedure that seemed strange to you, and if you still have any questions. That record should be given over to a lawyer as soon as possible. They will inform you about your next legal steps.

If items such as notebooks, calendars, computers and phones were confiscated, think about what data and information the police now has, and whether someone needs to be informed.

If anything was broken during the search, and if the police broke through your door, write a damage report and send it to your lawyer, too.

If your house is searched, you can assume that the phones in your house and possibly the place itself have been tapped beforehand or are now. You can talk openly about the search, but other things should be talked about at other places from now on.

If you haven't contacted Ulydig Retshjælp, make sure to do it then.

→ Signal: [+45 71 33 48 78](tel:+4571334878)

→ E-mail: [kontakt@ulydigretshjaelp.dk](mailto:kontakt@ulydigretshjaelp.dk)

#### CHECKLIST FOR HOUSE SEARCH:

Support contacts
Ulydig Retshjælp: ulydigretshjaelp.65 (Signal); <a href="mailto:kontakt@ulydigretshjaelp.dk">kontakt@ulydigretshjaelp.dk</a> (e-mail)
Lawyer: _____
Supporters: _____

*Please only fill in this form with personal details if everyone is aware that this data will also be with the police in case of a search. It is better to rely on your memory for phone numbers, if possible.*

**In short:**

1. Keep calm
2. Immediately call a supporter that will contact a lawyer, ulydig retshjælp and call for more supporters to come
3. When the police is at your door question them:
  1. Who is the house search directed at?
  2. What is the reason for the search?
  3. Request to see the warrant (ask for a copy), and read it through. In case of "immediate danger" or another evaluation from the police, there might not be a warrant.
  4. Ask for the name and service number of the police commander.
4. Object to the search and have it recorded. Sign it if you can.
5. Demand that the rooms are searched only while you and another witness you trust is in the room, and that the rooms are searched through one at the time.
6. Do not make any statements! No conversation with the police officers! That also counts for the observers and supporters.
7. Keep an eye on the police, during the search.
8. Only the rooms accessible to the person, that the search warrant is issued for, can be searched - prevent searches of other rooms. Tell the police if there are rooms you do now have access to, like other peoples rooms in your shared flat. Try to prevent them from searching them. Record your objections.
9. Demand that papers and notebooks are sealed if they are confiscated.
10. You are not required to cooperate during the search.
11. The police need to give you a search report, with a list of all the items confiscated during the search in detail. Check it, and only sign it if it is completely correct & you understand it fully. You do not have to sign anything. If nothing was confiscated, that should also be confirmed in writing.
12. After the search:
  1. Write your own record of the search
  2. File a complain through a lawyer
  3. Write a damage report.
  4. Bear in mind that there might be wiretaps installed in your house now.