

Any questions?

If you have any questions, please put them to the person who gave you this flyer. Depending on your circumstances the local court (Amtsgericht) may grant you financial aid (Beratungshilfeschein) to consult a lawyer. Lawyers also often provide free legal advice at social centres or the courts.

Impressum / Herausgeber

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Summons to the police

You are not required to comply with a summons to appear before the police for questioning as an accused person. As the accused person you have the right to refuse to make a statement, which is usually the most sensible tactic.

If you do decide to go to the police, all you have to disclose is your personal information, nothing else. Should you choose to make a statement, remember that you can discontinue your statement at any time.

You can try to bring someone you trust. If you are a minor, the police must allow your guardian to be present during the interview. Take your time and read your statement carefully after you were questioned. If you

believe that something was written down incorrectly, have the police change it! Do not sign your statement until you are sure. You do not have to sign anything. Under the new laws witnesses are obliged to appear before the police if the public prosecutor's office (Staatsanwaltschaft) has summoned them to do so. (They do not have to make a statement, however, if they might incriminate themselves or a close relative.)

Fingerprints and photographs

In general, you will have to let the police take your fingerprints and photographs. You can request that the documents be destroyed at a later time. DNA cannot be taken from you without a

judge's orders unless you give your consent and signature. Do not let yourself get pressured into giving your consent. You should consult a lawyer before you do.

Security staff and detectives

Are not police officers and do not have the same rights. They are not allowed to search you, your clothes or your bags without your permission; however, they do have the right to temporarily arrest you if they catch you in the act.



What you should know when dealing with the police!

Lalü Lala

ID check (verifying your identity)

The police are permitted to stop and check your identity without cause in locations that they believe are major crime areas (e.g. train stations). They may also search your belongings. The police may also stop and check suspicious individuals in other areas. If you refuse to provide your personal information, the police may take you to the police station.

Which information do you have to provide?

You have to give your first name, last name, date of birth, address, nationality and occupation (stating whether you are a student, pupil or employee will be enough. You are not required to give the police information on your employer or school). If

you are a minor, you have to give your parents' or legal guardians' names.

All other information is voluntary.

The police must let you go after they have taken down your personal information unless there is a warrant out for your arrest or there are reasons to take you into preventive custody.

Banning from public spaces

If the police have banned you from a public space or prohibits you from entering a space, you have the right to know the reason for the ban (in the heat of the moment you might not always receive a satisfactory answer, however). If you do not comply with the ban, the police can take you

into custody.

Arrest

If you cannot identify yourself, you were caught committing an offence, a warrant is out for your arrest, you are a minor and out on the streets by yourself late at night or seem to be very disoriented, the police can pick you up and (depending on the situation) take you to the police station, place you in police custody, put you in the care of the youth welfare office (Jugendamt) or your legal guardians or place you in prison to clarify the matter.

Any searches that you are subjected to at the police station may only be performed by a person of your sex. Ask to telephone a relative and/or lawyer and to see a doctor if

you need one. (Withdrawal symptoms are a reason!) It is your right and must be granted. Again you will have to give your personal information only. You have the right to refuse to make a statement since everything you say will be written down and can be used against you.

Do not sign any documents that you do not want to sign or do not understand. If any of your belongings were damaged during your arrest, you can claim compensation.

If your belongings were taken from you, file a complaint. Your complaint must be placed on record on site. If you were injured and believe that the police used excessive force against you, you should consult a doctor immediately after your release, to document the injuries.

Pursuant to the new North Rhine-Westphalia police act (Polizeigesetz NRW) the police may place you in police custody for up to 14 days (which can be extended for another 14 days) if necessary. You must be brought before a judge without delay, however. The latter will render a decision about placing you in custody or extending your custody.