

Conduct during raids

First orientation for emergencies





Raid - what now?

1. Try to stay calm and level-headed

The most important thing in advance: Do not resist during the raid. Such behaviour could have unnecessary consequences in the further proceedings and even lead to further criminal proceedings for resistance against law enforcement officers. You will not be able to prevent the raid at the time of its execution.

Pay attention to the following at the beginning of the raid:

- Were you informed about your right to remain silent (see 2.)?
- Ask to see the raid warrant for the raid and copy it if you are not given a copy.

2. Exercise your right to silence

An accused person in criminal proceedings has the right to remain silent. If you are an accused person in criminal proceedings, exercise your right to remain silent and do not comment on the matter.

You must be informed of your right to remain silent on the spot. If the investigating officer fails to give you this information, refer to your right not to comment on the accusations.

Important: Do not allow the stressful situation of the raid to make you want to "clear up" the matter or take a stand by making a statement. Do not get involved in conversations with the investigating officers in which you inadvertently give information that could incriminate you later.

3. Cooperate with the officials

Keep a "cool head" during the house raid. Do not try to destroy files or delete data. Destroying evidence usually gives rise to suspicion of an act of concealment and can - in the most extreme case - lead to pre-trial detention because of the danger of concealment.



Show cooperation. This means that you should remain friendly and show documents you are looking for in order not to block the raid if it is to be expected that the documents will be found anyway. In addition, this has the advantage for you that you can limit and focus the raid to the files and documents that are affected by the investigation. Other private or business documents can be protected in this way.

Show the officers the documents/evidence sought and object to the seizure.

Please note: There is no obligation to cooperate. You only have to provide information about yourself (name, home address, date of birth).

What else?

- You do not have to sign anything, which you are regularly asked to do at the end of a raid.
- After the end of the raid, insist on the handing over of a raid certificate and a seizure list.

We are here for you, call us!

+49 441 / 9702 3535

Contact person:

RA Dr Christian Jakob LL.M.

Prof. Dr Lasse Dinter LL.M.

HAUNHORST SCHMIDT
Criminal Law Practice Group

Wilhelmshavener Heerstrasse 79
26125 Oldenburg

kanzlei@haunhorst-schmidt.de

DINTER Criminal Defence

Hartwig-Hesse Street 13
20257 Hamburg

(Cooperation partner)