

 **Polizeipräsidium Rostock**




Mecklenburg Vorpommern 



FoKuS – police duties in supervised release

Waldeck, 07.04.2014



Mecklenburg Vorpommern 

FoKuS-Program

Für optimierte Kontrolle und Sicherheit
To optimized supervision and security

 **Polizeipräsidium Rostock**

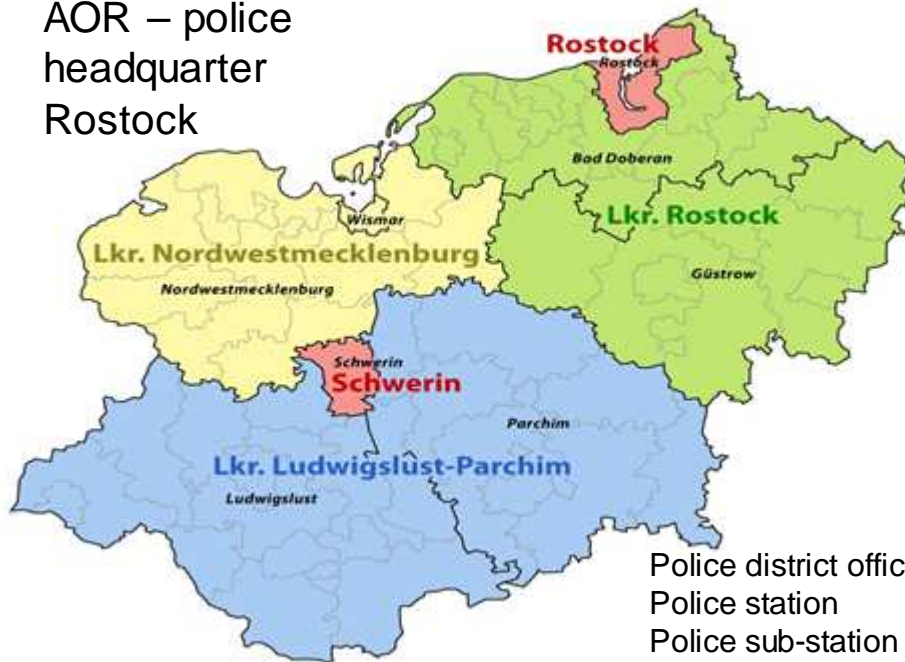
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FoKuS-Program

Für **o**ptimierte **K**ontrolle **u**nd **S**icherheit
To optimized supervision and security



AOR – police
headquarter
Rostock



AOR – police
headquarter
Rostock





Police headquarter – Rostock Waldeck

Different Tasks of German Police Agencies



Criminal Procedure Law (StPO)

Law enforcement
Detection of crime/ Investigation crime
Apprehension of criminals

Police Law/Public Security Law (SOG M-V)

Maintenance of public security
Maintenance of public order
Protection of private rights against intrusions by private persons
(Compulsory) Enforcement of other agencies orders

Prevention of Crime

Development 2010 - 2014



- currently 141 offenders are „FoKuS“-participants, “Potentially Dangerous Persons” PDP
- 5 with an electronic device (only PP HRO), central management GÜL Hessen (joint office federal states)
- Police attend meetings with probation officer, offender – sometimes with a psychologist of forensic Medicine
- the police visit offenders at home to ensure compliance with court orders (e.g. breath testing; monitoring a sexual offender living in close contact to minors)

The difference between probation and supervised release (Bewährung und Führungsaufsicht)

Probation: is imposed as a substitute for imprisonment

Supervised release: is imposed in addition to imprisonment

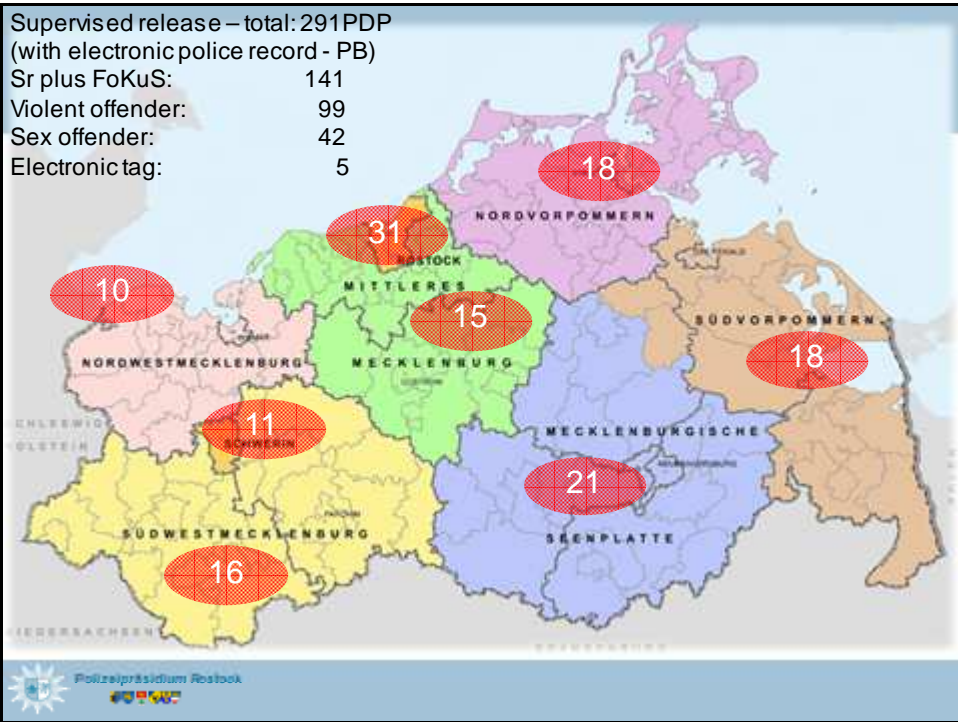
The difference between probation and supervised release

Probation: is imposed as a substitute for imprisonment (in the U.K.: Intensive Community Orders „ICO“)

Supervised release: is imposed in addition to imprisonment

Post - Conviction - Supervision /supervised release					
Inputs	Process	Process Outcomes	Intermediate Outcomes	Ultimate Outcomes	Mission
Characteristics • Offender • Offence • Office • Officer • Community Sentence • Prison term imposed • Supervision term imposed • Prison time served ▶ • Supervision time served • Revocation time served • Conditions - Correctional - Restrictive - Service - Financial Resources • Staffing • Space • IT • Office equipment • Contracts	Activities • Conduct Investigations • Assess Risk • Establish Restrictions and Expectations • Provide correctional programming and assistance • Refer for correctional programming and assistance Monitor conduct and condition	Comply with restrictive conditions	→	Minimize criminal activity during the period of supervision	Protect the public
		Participate in correctional programming	↕	Minimize criminal activity beyond the period of supervision	
	Comply with service conditions	→	Maximize Community restoration	Assist in the fair administration of justice	
	Comply with financial conditions	→	Maximize compliance with release conditions		

Post - Conviction - Supervision /supervised release					
Inputs	Process	Process Outcomes	Intermediate Outcomes	Ultimate Outcomes	Mission
Characteristics • Offender • Offence • Office • Officer • Community Sentence • Prison term imposed • Supervision term imposed • Prison time served ▶ • Supervision time served • Revocation time served • Conditions - Correctional - Restrictive - Service - Financial Resources • Staffing • Space • IT • Office equipment • Contracts	Participation of Police Activities • Conduct Investigations • Assess Risk • Establish Restrictions and Expectations • Provide correctional programming and assistance • Refer for correctional programming and assistance Monitor conduct and condition Respond to non-compliance Evaluate / revise strategies	Comply with restrictive conditions	→	Minimize criminal activity during the period of supervision	Protect the public
	Participate in correctional programming	↕	Minimize criminal activity beyond the period of supervision		
	Comply with service conditions	→	Maximize Community restoration	Assist in the fair administration of justice	
	Comply with financial conditions	→	Maximize compliance with release conditions		



The Edmonton Police Service is issuing this information and warning after careful deliberation of all related issues, including privacy concerns, in the belief that it is clearly in the public interest to inform the members of the community. This information is released under the authority of the FOIP Act, RSA 2000, C. F-25. Members of the public are advised that the intent of this process is to enable citizens to take suitable precautionary measures. Releasing this information is NOT intended to encourage people to engage in any form of vigilante action.

What´s FoKuS?

- a joint administration act for justice (LASTAR) and police
- target group: high risk offenders
under supervised release
(sexual offenders and persons convicted of [attempted] murder or manslaughter)

Measures to take – data based monitoring

The State Office of Criminal Investigation enters the alert as soon as possible in INPOL and puts the decision of the supervisory authority in the Q-group of INPOL and hence making it accessible nationwide.



The supervisory authority arranges for the deletion in INPOL at the State Office of Criminal Investigation after the termination of the supervised release. The State Office of Criminal Investigation directly informs the police district office about the completion of the supervision of conduct

Measures to take – data based monitoring

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Measures to take – data based monitoring

2.3 Ausschreibungen zur PB sind aus mehreren Anlässen und neben Ausschreibungen zur Fahndung zulässig. Besteht bereits eine Ausschreibung zur PB, ist die ausschreibende Polizeidienststelle von der Eingabe weiterer Daten zu informieren.

2.4 Es gelten folgende Klassifizierungen:

- PB 01 „Rauschgift“ - drugs
- PB 02 „Waffen“ - weapons
- PB 03 „Falschgeld“ - counterfeiting of money
- PB 04 „Vermögen/Wirtschaft/Umwelt“ - white collar crime
- PB 05 „Eigentum“ - theft
- PB 06 „Kriminelle Vereinigung“ –Organized Crime
- PB 07 „Politisch motivierte Kriminalität“ – political crime
- PB 08 „Schleusung“ - trafficking in human beings
- PB 10 „sonstige Delikte“ (§ 163e StPO) - „other serious crimes“
- PB 20 „sonstige Gefahrenabwehr“ - risk control
- PB 30 „Internationaler Straftäter“ (nur durch das BKA) - international criminals (only federal level)
- PB 40 Führungsaufsicht (nur INPOL – nicht Schengen) - supervised release (only national)



2.5 Im Datenfeld „Sondervermerk“ ist bei der PB 10, PB 20, PB 30 die kriminologische Bezeichnung des jeweiligen Deliktsbereichs freitextlich einzugeben.

(Auszug PDV 384.2 Polizeiliche Beobachtung)

Measures to take

The police district office in charge, the supervisory authority, the responsible probation officer directly inform each other when the convicted person changes domicile.



The police district office informs the State Office of Criminal Investigation about the relocation or the changed place of residence (for example within the framework of a therapy) in order to update the data such as in INPOL and in the Violent Crime Linkage Analysis (hereinafter referred to as VICIAS).

Measures to take

On the basis of the close cooperation between the public prosecution, the supervisory authority, the Social Services of Justice, the police, the penal institutions and the juvenile detention centre a comprehensive assessment about the personality of the convicted person and the danger that emanates from him/her shall - by means of case conferences in cases in which the application for an instruction of the electronic monitoring will need to be examined - be achieved.



Electronic tag



The case conference

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The case conference

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Monitoring by the police

The police district office assists the supervisory authority and the responsible probation officer in monitoring the convicted person within its jurisdiction, particularly with regard to imposed instructions. It informs the police station in charge at the place of residence of the convicted person about the decision of the supervisory authority put in INPOL and determines measures derived from the decision, such as compliance within patrol duty and necessary targeted controls and preventive measures by involving the responsible probation officer.



Immediately after release an endangerer-interview should normally be held by the police in consultation with the responsible probation officer.

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Measures to take

The police district office takes care of necessary coordination measures falling within the remit of police and is contact point to the supervisory authority (LASTAR) and the responsible probation officer



For this purpose it provides an overview about the cases of supervision of conduct, the reachability of the probation officer in charge, the implementation of the measures agreed on in individual case or directly initiated by the police district office and a copy of the decisions of the supervisory authority.

Cooperation during the monitoring

All parties involved in the concept are required to cooperate closely and to promptly transfer obtained information under an agreed memorandum of understanding - also beyond the concept guidelines – to other parties involved in the concept to the extent that this is necessary to achieve the objective of the concept.



Section 81b

[Photographs and Fingerprints]

Photographs and fingerprints of the accused may be taken, even against his will, and measurements may be made of him and other similar measures taken with regard to him insofar as is required for the purposes of conducting the criminal proceedings or of the police records department.



DNA profile /
DNA fingerprint



Measures to take



0,0 legal blood alcohol limit



Measures to take



0,0 legal blood alcohol limit

- the probation officer can call the police for support
- e.g. joint home visit, spontaneous breath testing,
- check the living conditions – endangered persons around?



Dont's



Restricted areas



Restricted areas



police station date
docket number / document number

Protection
of

first and family name

street, post code, residence

first and family name of further persons who have to be protected

Under Article 82 SOG M-V paragraph 2 number 2 VwGO, the following injunction is passed
against

first and family name date of birth birthplace

street, post code telephone number

sending of f prohibition to enter an apartment or house
for a restricted period of time

prohibition to enter residence ban

for the following spatial area:

detailed description of the spatial area:

facts and circumstances / explanation of danger / prediction of danger
(facts justifying the sending off; severe present use of force; making use of guns or dangerous
objects; intensity and way of using force; injuries of the victims; condition of the crime scene / the
apartment; repeated operational motives; previous convictions; influence of alcohol; narcotics)

key to the apartment seized / impounded: yes no (not in the possession)

keeping of the key:

address of the safekeeping:

The following everyday essentials were taken from the apartment:

period of measure
from date / time till date / time

The injunction is enforced immediately, under Article 80 paragraph 2 number 2
In case of non-compliance the measure taken an administrative fine at the rate of
 500 Euro (normal)
 Euro is threatened.

Don't's





Worst case – and the media

Pädophiler Straftäter lebt in Spielplatznähe

Mann musste trotz ungünstiger Prognose entlassen werden

Wieder drei Jahre Knast
Sextäter bricht Fußfessel auf und flüchtet
Aktualisiert: 05.02.2014 - 11:4

SO TRAUERN DIE ELTERN UM IHRE ERMORDETE TOCHTER FRANZISKA

„In unseren Herzen stirbst du nie“

Mädchen von Sextäter missbraucht und erschlagen

Amtsbekannter Kinderschänder schlug erneut zu

■ 51-jähriger Straftäter soll drei Verurteilungen für drei Kinder missbraucht haben. Auf einen Einsatz wurde bereits kürzlich hingewiesen.

Vorgeschichte
 Der Mann spielte seit dem August des Jahres im Club mit einem Mädchen, in dem die beiden Jungen verstorben waren. Der ehemalige Straftäter wurde bei Verhaftungen nicht identifiziert.

Close cooperation between supervised-release-office (LASTAR) and police – leads to success

Risk assessment – includes internet and new media

**Expect the best – prepare for the worst:
PR-concept**

**THANK
YOU!**