

PERSPECTIVES

AFTER A RACIST ATTACK

**YOUR RIGHTS AND
POSSIBILITIES**

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INTRO

Almost every week people are attacked in East Germany and Berlin by right-wing extremists who act out of hate for everything supposedly „non-German“. These attacks are directed especially towards people from different countries of origin, but also against the physically disabled, homeless or ostracized youths.

The perpetrators are usually male youths who belong to right-wing extremist organizations. Such attacks are only possible, however, in an environment where racism is an active element. The average citizen must collude with the perpetrators, either passively by denying help to those attacked or actively by becoming participants in racist mobbing. In short racism evolves from the „middle of society“.

For a long time the development of right-wing extremist ideology within certain social contexts has been explained — in politics, social work and the media — as being rooted in poor job prospects, a lack of youth centers and neglect within the family. Various organizations have expressed the need to improve these areas as a preventative measure. In contrast, the drastic lifestyle changes that victims of these attacks are forced to make are all too frequently forgotten or disregarded.

A right-wing extremist attack motivated by racism doesn't just affect the individual victim. Despite public ignorance, the consequences of actual injuries caused by right-wing extremist attacks are commonly felt beyond just the individual person attacked to the entire group who has witnessed the crime. Those concerned often very clearly understand that the attack against them wasn't personal. It affected the one person, but we all feel taken aback. Fear spreads. Many feel shaken and avoid the vicinity where they fear they could be attacked. This may be around the train station as soon as it gets dark or near a shopping center. As a result, a concept of „no-go areas“ for those who could potentially be attacked has been spreading throughout the country.

For organized right-wing extremists, this development is convenient. They refer to these areas, considered for by potential victims as „no-go areas“, to be „nationally freezones“. With this they mean that they are the ones, through their camaraderie and their social surroundings, that emit the social control, not the state institutions. They strive for cultural and social hegemony throughout the city. This struggle is carried out in almost every school, in every youth club, in many small towns and city districts and the result is that right-wing extremists are conquering more and more territory. In many towns, there is no alternative to a right-wing

mainstream. To be right wing is normal. Whoever does not want trouble, must assimilate.

But violence and intimidation as a tool of enforcement and maintenance of right-wing hegemony can only be successful because travelers, social workers, parents and residents remain passive and look away. It is not only the fact that non-conformist youths, people who one of non-German origin, refugees etc. are being beaten up that matters. The general lack of social support from residents who aren't involved creates an additional psychological dimension to the physical injuries incurred in such an attack.

This absence of solidarity among those concerned has, unfortunately, a beneficial effect on the perpetrators. It reaffirms their impression that the citizens either secretly approve of their actions, or it conveys the message that society is afraid of them. It appears as if no one wants to interfere with them, as if they were unassailable. Although the threat they pose is not named, representatives of the city and the police still seek an opportunity for dialogue with them. This image of an unassailable power in the city not only strengthens the position of the attackers, but it seduces other youths who have not yet understood democracy to be a natural matter of course. This „success“ allows them free reign and ample recruitment opportunities. After all, who wouldn't want to be on the side of the winning team?

When considering the role of violence and fear in the assertion of authority for and maintenance of a right-wing hegemony, it becomes clear how important a process of solidarity with the victims of right-wing extremist violence is and it reaffirms that an absence of participation in society is not only partly to blame, but is a prerequisite for a swing to the right.

WHY THIS PAMPHLET?

The Counseling Projects for Victims of Right-Wing Extremist Violence (Die Beratungsprojekte für Opfer rechtsextremer Gewalt) were founded in response to these circumstances. They offer those concerned practical support such as the assertion of their rights and the opportunity to find strength so that they don't fall into the role of passive victim, but instead become an active contributor to the cause of ending extremist violence.

Very few victims have had previous experiences with the German legal system. Thus, they feel abandoned with their fears and questions. Many know for a fact that the attack against them is considered a criminal offence in Germany and that it is in violation of legitimate rights and societal norms. They even realize that it is the legal responsibility of public authorities, like the police, district attorneys and court of justices, to investigate such injuries and to punish the perpetrators. Yet they aren't sure what this means for them personally nor what their options are. This pamphlet offers those affected concrete tips on what they can do after experiencing a racist attack, as well as what rights and possibilities they have.

A pamphlet cannot replace any personal sympathy or individual counseling. It can only assist in providing initial individual orientation.

In order to support those concerned, a process of solidarity should be pursued. This is not just about securing the sympathy of another. It is about the need for society to recognize and align with those who have been marginalized and confronted with potential danger.

Public involvement can both provide comfort to the victims as well as suppress the supposed public approval of right-wing violence, which can weaken the right-wing power position.

WHAT CAN I EXPECT AND WHAT MUST I DO?

You have been the victim of a racist attack. You are entitled to:

- Make the offense publicly known
- Call the attacker to legal account,
- Collect compensation or sue for damages.

In addition, you have certain rights. Because the attack against you is a violation of state-established legal norms, the police are required to carry out an investigation and to bring a charge against the attackers.

If the police haven't been called, you will have to make a charge against the attackers at the police station if you want the perpetrators to face judgement.

Based on your claim, the police must investigate what happened and who the perpetrators were. A special judge will determine if the perpetrators will be detained while pending trial or if they will be allowed to remain free.

Subsequently, the prosecuting attorney settles whether the evidence against the perpetrators is sufficient enough and passes the case on to court. In court, the guilt of the perpetrators will then be judged in a criminal procedure. Your role in this procedure is to act as a witness to the scene of the crime.

Criminal Process

In a criminal case, the prosecuting attorney accuses the perpetrator based on his criminal offense and his violation of the state legal system. The perpetrator, or the „suspect of the crime“, may defend himself either alone or with the help of an attorney. In the hearing of evidence, witnesses providing evidence as well as expert witnesses will be heard and questioned. The prosecuting and defense attorneys will make their pleas and then the court will judge on either the guilt or innocence of the accused and choose the form of punishment (length of prison sentence, amount of fine etc.). The claimant appears as a „victim witness“ in the criminal proceedings. This means that his testimony can be used as important evidence in the hearing. The focus of the proceedings, however, is not the claimant's need for reparation, but rather the attempt to establish whether the law has been breached or not.

The injuries you suffered from the attack and your wish for reparations do not play a role in a criminal case. Rather if you want to claim compensation for damages and injury, you must do so in a civil case.

Civil Process

A civil case deals with the victim's direct claims against the perpetrator. This usually involves a claim for financial compensation. It is recommended that you wait until the criminal case has been completed and the guilt of the perpetrator has clearly been determined before launching a civil case. A time period of up to three years after an attack is allotted in order to file a claim for compensation for injuries and/or damages. Generally, there is little chance of obtaining financial compensation from the perpetrators. Despite this however, it is not a bad idea to file a claim for compensation for damages and/or injuries, as the „legal title“ that one acquires with this, implies that one can still be sued many years later.



RACISTS HAVE ATTACKED ME

You were insulted, hit and kicked by racist culprits. Maybe several people even observed the assault, but did nothing to help you. Perhaps you were completely alone on the street or with friends on your way home.

You torture yourself with the question: Why has this happened to me? Why was I attacked? What did I do to the culprits? Why do they hate me? There is only one answer to these questions: You have done nothing. Nor are you guilty of anything.

In Germany, more and more people who have been categorized under the „enemy image“ - „non-German“, are being attacked, insulted or threatened

The defining features of this enemy image are based purely on external characteristics, such as skin color, language or appearance. Whether the victim has been born and raised in Germany or later migrated here makes no difference. They are all simply labeled by racists as „not belonging“ here.

In most cases, the majority of young attackers don't belong to an organized right-wing group. But they do belong to right-wing cliques, who won't accept anyone who doesn't fit within their worldview. This isn't limited to just migrants and refugees. Their hate is directed towards ostracized youths, the handicapped, homosexuals and homeless people. They hate everyone and everything that is culturally foreign to them.

Usually the perpetrators insult their victims before becoming physically violent. It's always the same provocations: „Go back where you came from!“ - „What do you want here?“ - „You have nothing to seek here!“ - „This is our country!“ Their racist slurs are directed towards individuals, yet everyone who fits their definition of enemy groups is implied.

Their racism is fed by political discussions on the side of the state as well as those held between regulars down the pub. The corresponding racist positions can be characterized in public debates about asylum laws, double citizenship policy, migration provisions or even terrorism.

The perpetrators want to send a clear message to the victims that they have nothing to seek or find in society and that they are less valuable as human beings.

For this reason, it is important to understand that you yourself are not guilty of the assault. - You were attacked, the others are the attackers. You are affected - but everyone who does not fit in the racists' worldview is an intended victim!

MUST I REALLY REPORT THIS TO THE POLICE?

The persons concerned often have the attitude that filing a police report is senseless. They are afraid that the court won't believe them and that the crime will be incorrectly presented.

As a response to this, we advise in most cases: File a police report! In order to obtain compensation for injuries or damages, filing a police report is a requirement. Beyond these practicalities, however, more can be achieved by filing a police report.

A police report warrants that the police investigate and make inquiries into the crime. If no police report is filed, the perpetrators will not face any form of negative consequences. This encourages them and other right-wing youth to conduct further attacks.

If a filed police report results in a court proceeding which condemns the crime, then the public can no longer silence the fact that there is a problem with right-wing youth and racist attitudes among the urban population. Those responsible can understand the legal condemnation of the crime as a warning. As a result, widespread racist attitudes as well as organized right-wing extremist structures, which exist in the urban population, will be more difficult to conceal among the city population.

Sometimes it may feel as if the perpetrators are filing a police report against you and claiming that you provoked the attack. In such a situation, your own police report is a potential safeguard, since the police must make inquiries on your behalf based on this report and the real course of events of the crime can thus be uncovered.

WHAT DOES A POLICE REPORT ENTAIL AND HOW DO I FILE ONE?

First of all, a police report is nothing more than a notification to the police that a crime has been committed.

Essentially, you could file a report in any police station. For example, you could report a crime that occurred in Munich at a police station in Hamburg. Or you could even file a written report at the district attorney's office (see the example letter in the appendix). Before you file a police report, however, take some time to review the events of the crime in your head so that you can recall the details as clearly as possible. It may also be helpful if a trusted person or a colleague or someone from the victims' counseling center accompanies you when filing the report at the police station. You have up to three months after the crime in which to file a police report. When filing a crime report, you have the right to a translator in your native language, the cost of which the police must finance. You should insist on having this right acknowledged. Even when you consider

your German to be good enough, there could be some strange and tense situations which could lead to misunderstandings, which then make the police investigation more difficult. A friend who can speak German well may be able to help you in the first explanation to the police, but the written report that the police need from you as a protocol will have to be translated by a sworn interpreter. The police will arrange for such an interpreter over the telephone. In case you cannot or do not want to wait for the translator, request that the police arrange the meeting on another day and be sure to clarify this before leaving. Your report will be filed shortly thereafter.

The police will assign your report a journal number. Be sure to record this number or request confirmation of the police report. If you want to make inquiries later as to the progress of your case, it is helpful to have this number at hand.

You should be aware as well that you can not later retract the report once it has been filed. If you want to rescind your police report, the crime itself will still be „officially“ pursued

This doesn't apply to offenses, which the police are pursuing based on petitioned complaints alone. For such crimes, it is important to explicitly lodge a criminal petition. (See the example letter in appendix).

Because it is generally not known what legal statutory offense will be affixed to the crime when lodging a complaint, an action to start legal proceedings should always be filed as a precautionary measure.

Lodging an action/ filing for penalty (See example in appendix)

A complaint can be lodged and the penalty then pursued based on insult or slander in addition to simple, intentional and negligent bodily harm. The appropriate sections should be marked accordingly on the complaint form, which will be completed by the police.

A criminal petition can also be written and filed up to three months after the crime.

The police are required to make inquiries into your case. They do not have the right to send you back home without having accomplished something. Should it occur that the police do not allow you to file a report, refuse to provide an interpreter or don't give you written confirmation of your complaint, you have the right to object and/or to go to another police station.

Supervisory Grievances Committee /Dienstaufsichtsbeschwerde
(See example letter in appendix)

You can file a complaint regarding the behavior of police officers in writing at police headquarters or at the appropriate district attorneys office. The outcome will then be declared. Even if at first nothing comes of this complaint, one can assume that complaints of this kind are very scrupulously pursued by police authorities and at least in frequently occurring complaints - the police officer in question will be called to account.

WHAT DO I DO IF THE PERPETRATOR FILES A REPORT AGAINST ME BECAUSE I DEFENDED MYSELF?

If you are attacked, you have the legal right to defend yourself according to the crime (self-defense). This can not be held against you in a court of law. For this reason, you do not need to fear telling the truth in the police interrogation. If you are, despite this, feeling uncertain whether your self-defense tactics would be construed as „appropriate to the crime“, consult a lawyer or a victims counseling center.

If the perpetrators file a report against you - whether you defended yourself or whether the perpetrators are merely claiming this in order to divert suspicion from their own guilt - and you are charged by the police as the accused, generally, this means that you do not need to appear for a police interrogation. You do, however, need to appear at the district attorneys office when summoned.

By this point at the latest, you should commission a lawyer to your case.

MEMORY MINUTES (GEDÄCHTNISPROTOKOLL)

In order to later be able to recount the events of the attack as accurately as possible to the police, prosecuting attorney or at a court hearing, it is very important to record notes about the incident in exact detail. Thus, record „minutes from memory“. You may be thinking now that you won't ever forget the attack. It has continuously occurred, however, that after half a year or an entire year has passed, when the lawsuit finally goes to trial, that not every single detail can be recalled anymore. Hence, memory minutes can be very helpful in such a situation. If possible, record the events in order as they occurred within the first few days after the attack, while the details are still fresh in your memory. Because the memory minutes are there above all to assist you in later recalling everything, it would be in your best interests to write this in your own language and by yourself, not with friends. If you and others were mutually attacked, it would be best if all concerned were to each write his/her own memory minutes. This is because later at the police office or in court, questions directed at you, will be based only on your experiences, not on what the others have reported.

Very accurate details regarding the events of this crime should be recorded in such memory minutes.

In writing this, you can focus on the following questions as an orientation:

How did the attack come about?
Where and when did it occur?
Who were the perpetrators, what did they look like?
Which of the perpetrators did something?
Are there any witnesses and if so, who?
How did they behave?

After you have written the memory minutes, be sure to keep it in a safe place. It should assist you in remembering what exactly happened. It is meant to be only for you and perhaps for your attorney as well. You should not show it to the police or the court. It is best if you do not even take the memory minutes with you to a court summons. Instead read it through one more time before you go to the police or to the court-house.

WHAT DO I STILL NEED TO DO?

If you were not yet at a doctor's office, it would be wise to do this as soon as possible in order to determine and later be able to verify any bodily harm inflicted as a result of the attack. Having pictures of any of these visible injuries, such as lacerations or bruises could be used in court and may influence the judgement.

In addition, you should make a note of all material damages, bills and costs, which accrue as a result of the attack. You need to keep these things as well as all receipts so that you can later use them as evidence in the civil proceedings.

You also need to mentally prepare yourself for the fact that it will take a long time before a judgement is made in regard to the perpetrators. At least now you can take the time to become informed about your rights and to possibly seek out a victims' counseling center. They can assist you in coping with the attack and in getting over it as and they can also provide legal tips and suggestions as to where you may be able to obtain further financial assistance.



WHAT WILL THE POLICE DO?

After you have filed a report, it is the responsibility of the police to conduct an investigation. They will search for the perpetrators and for additional witnesses and will make further inquiries. It is possible during the police investigation that you may be interrogated a second time as a witness to the crime. If you think you might be able to recognize the perpetrators again and inform the police of this, the officers are likely to show you photographs for purposes of identification. In rare cases, the police may request that you identify a perpetrator from a line-up of possible culprits. If you want to avoid such an encounter, you should request that the police to show you photographs of the suspects instead. As is the case with every meeting with the police, you can also bring a friend, an advisor from a counseling center or an attorney with you, to the line-up identification.

In case you later want to make an addendum to your testimony, find witnesses yourself or if you have any new knowledge about the perpetrators, you can relate this to the police at any time. After the police have closed the investigation, they will send the results to the district attorneys office.

WHAT WILL THE DISTRICT ATTORNEY DO THEN?

The district attorney decides whether the police investigation was sufficient, whether further inquiries need to be made or whether the proceeding will be dropped altogether due to, for example, „lack of substantial evidence“. Although different from the police, if you are summoned by the district attorney's office for a witness interrogation, then you are bound by law to attend and to provide evidence under oath.

Dismissal of a case

If the district attorney sees no possibility to bring a charge, because, for example, the assailants cannot be found or there is insufficient evidence, then the case will be dismissed. If the criminal petition has been dismissed, the victim will be informed of this dismissal. Yet the victim (and everyone else) has the right to file a complaint to the supervisory grievance committee (Dienstaufsichtsbeschwerde). This should be directed informally to the general district attorneys office. If the victim was injured in the attack, then an enforced criminal action proceeding can be pursued.

When the police and the district attorneys office have completely finished their investigations, the public prosecutor decides whether to move an order of punishment in the court or to take the proceedings directly to court.

The appointed judge then makes the final decision as to whether a proceeding will be opened in court or not.

Order of punishment

Orders of punishment are less likely to be granted in petty criminal offenses. In such cases, court proceedings do not take place. Instead, the judge decides on the order of punishment proposed by the district attorneys office. This will be sent to the perpetrators. In such situations, it is usually just a question of how much the fine should be, which generally won't be paid to you, but instead will be awarded to non-profit organizations or to the benefit of the general public.

HOW LONG WILL THE WHOLE THING TAKE?

Presently, a criminal procedure lasts, from the moment of the crime until the legal proceedings, on average one to one and a half years. If the assailant is in on remand, however, the procedure will be opened within six months.

If you have the feeling that nothing has occurred since you filed the report, then you can make inquiries into the investigation or about the status of the proceedings with a letter of inquiry into the investigation.

Inquiry about the status of your case

This is nothing further than a letter of inquiry about the „status of your case“. It is important to include and note the journal number, which you received with the police report in this letter of inquiry. (see example letter in the appendix).

Before you arrange such a written inquiry about the status of your case, you could contact the tending public prosecutor by telephone and request the information.

WHAT HAPPENS IN THE COURTROOM?

If the main hearing is opened, then the roles are divided as follows: on one side of the courtroom are the perpetrators, or defendants, who usually have an attorney present. On the other side is the public prosecutor, who originally instituted the legal action on behalf of the state since the perpetrators broke valid laws in their attack against you. The judge sits in the middle of the courtroom, usually raised on a platform. Near him, may also be two lay judges (Laienrichter) or accessory judges (Beirichter). In addition, there is also a shorthand typist and perhaps a colleague from the juvenile court or some another expert witnesses present. You, in addition to other witnesses, will be summoned to either one or more appointments and will need to appear as a witness for the prosecuting attorney in order to describe the events of the attack. When doing this, you will be sitting in the middle of the room facing the judge. After your personal data has been recorded, you will then be asked by the judge to relay the situation in your own words. Following this, the judge, the prosecuting attorney as well as the defending attorney will

ask you questions. A translator will be made available in order for you to make your testimony in court. As a sworn witness, you are required to tell nothing but the truth. The judge will remind you of this fact as well. This shouldn't be taken personally. His intent is not to presume that you would lie. This is simply part of the court proceedings and he does this with all witnesses. If you no longer know the exact answer to one of the questions or can no longer remember, you should say so in order to avoid contradicting an earlier testimony you may have made at the police department. Again for such cases, it would be helpful to review your memory minutes anew before the trial. If you fail to appear in court, you may be charged a fine or even be faced with a prison sentence.

Beyond this, your role in the proceeding is relatively small. Until the judge has called you forward, you have to wait outside the courtroom with the other witnesses. Once you have voiced your testimony, you may leave or wait in the courtroom until the verdict has been reached and declared.

If the court has closed the „hearing of evidence“ - this generally means that all witnesses and expert opinions have been heard - both the prosecuting attorney and defending attorney then make their final pleas. The judge retreats to his chamber for a few minutes and then returns to announce the verdict.

Plea

A plea is a summation to the jury. It is a speech in which both the views of the prosecuting and defense attorneys are raised, repeating how the assault likely happened, which laws in the process were broken and which extenuating circumstances (alcohol, right-wing extremist attitudes etc.) should be considered for the case. Following this, the recommendation in regard to the amount of punishment will be announced.

If the assailants were under 18 years of age at the time of the crime, the proceeding will take place in a closed session. If they were between 18 and 21 years old (adolescents), the judge can exclude the public for either the entire proceeding or just for certain parts of it. For defendants who were older than 21 years old at the time of the crime, it is required that the public be allowed access to the proceedings.

CAN I INFLUENCE THE PROCEEDING EVEN MORE?

You can become actively involved in the proceedings when you appear as a co-plaintiff. You can do this either on your own or with the assistance of an attorney who is pleading your case. You should already move to be a co-plaintiff, if possible through an attorney, during the investigative proceedings. But you can also decide later to do this even after the main proceedings have already begun.

Co-plaintiff

A co-plaintiff can influence the court proceedings in particular areas. For instance, you may examine the records for the proceedings, ask questions in court, make motions and you can lodge an appeal against the verdict. The co-plaintiff in a criminal procedure may also sit next to the prosecuting attorney throughout the entire hearing and does not need to sit in the auditorium. One should have a representing attorney and then under certain conditions, state legal aid may be awarded in order to cover the resulting attorney fees.

Co-plaintiffs are not permitted in proceedings with juvenile perpetrators (14 to 18 years old).

Being a co-plaintiff means:

You have the right to examine the records together with your attorney prior to the scheduled date of your court appearance;

You may sit next to your attorney throughout the entire court proceeding and do not need to wait outside the courtroom for questioning;

A translator will be appointed to you not only for your own testimony, but also during the other testimonies, the pleas and the announcing of the verdict, so that you can follow the entire proceedings;

Through your attorney, you can submit your own proof of evidence and summon additional witnesses to appear in court;

Via your attorney, you can render statements in regard to the evidence submitted on behalf of the defendants;

Your attorney can reject offending questions and in so doing, he can monitor that the question of guilt not become confused or turned around;

Through your attorney you can direct questions at the defendant;

And your attorney can make a final plea at the end of the proceedings.

A co-plaintiff, however, is only permitted if the assailant is already 18 years or older at the time of the crime. In most offenses a co-plaintiff is permitted, exceptions are made nevertheless when under „duress“ or „threat“. Such questions should be discussed with an attorney.

If the defendant is under 18 years of age and thus, a co-plaintiff is not permitted, you can have an attorney as „legal counsel“ as a form of support. It is true that legal counsel does not have the same scope that an attorney in a case with a co-plaintiff has, yet he can still offer assistance. This can be especially useful when your legal counsel rejects offending questions posed by the defendant or his attorney.

Adult criminal law - juvenile criminal law

The right-wing extremist perpetrators are often juveniles (at the time of the crime under 18) or adolescents (between 18 and 21 at the time of the crime). For juvenile delinquents, the juvenile criminal law applies, for which the main objective is education and guidance rather than punishment. Accordingly, the „mental development process“ of the juveniles, their family situation and their professional perspectives will all be considered. The rights of the victim in a criminal case against juveniles and adolescents are in some regards limited. If the perpetrator is a delinquent, then a co-plaintiff is not permitted. The hearing will generally be closed to the public. If the perpetrator is an adolescent, then the co-plaintiff is permitted, but it may be decided that the courtroom still be closed to the public, depending whether the adolescent's maturity level can be equated to that of a juvenile. If so, in the interests of his or her development, it may be decided to have a closed session, which means that the juvenile criminal law would be applied as well.

WHO WILL PAY MY ATTORNEY FEES?

Principally, the one being convicted is the one required to cover the attorney costs for a court proceeding. If the perpetrator is acquitted, you'll have to pay your attorney costs yourself. However, if you earn only a low income, you can apply for legal aid. In the first meeting with your attorney, you should already discuss whether he is prepared to file your petition for legal assistance and if he is willing to work under these circumstances.

Legal aid

Whoever receives social welfare, is of legal age, but is involved in an educational training program or may otherwise just not be particularly wealthy and is strained by a court proceeding, can claim legal aid. You need only to verify his low income and your expenditures, such as rent costs, debt payments etc.. This arrangement ensures that even victims who otherwise wouldn't be able to afford to lodge a complaint, are able to do so

In addition, you can advise your attorney to try and collect his legal fees from the DAV Deutsche Anwaltsverein (German Association of Attorneys, see list of addresses), which has established the „Stiftung contra Rechtsextremismus und Gewalt“ (Foundation Against Right-Wing Extremism and Violence).

HOW CAN I GET COMPENSATION FROM THE ASSAILANTS?

You can sue for damages or compensation for injuries and try to collect reparations in a civil case but not in a criminal case. In contrast to a criminal procedure, there are no state accusers (public prosecutors) in a civil hearing. Rather the assailant and the claimant confront each other. The court has the responsibility then to mediate and intervene between

the two.

You should discuss this possibility with your lawyer as well. Principally, the hearing in a civil case in which one is suing for damages based on personal suffering should not be held until the criminal case has first been closed. A claim for compensation based on personal suffering must be lodged within three years. After this point, statute-barred claims expire. If the criminal procedure is quite long, the civil action should be filed before the criminal case has been decided.

WHO PAYS MY ATTORNEY IN A CIVIL PROCEEDING?

Financial assistance for a proceeding will only be granted in a civil case if you stand a good chance of success. Basically, this means that if your motion for financial assistance for a proceeding is decided positively, you are likely to have very good chances of winning the civil proceeding. Therefore, one usually only lodges a civil complaint under the premise that financial assistance will be awarded for the proceeding. This way, one can avoid financial risk.

CAN'T ONE RESOLVE THE SITUATION THROUGH A PERSONAL CONVERSATION?

In the event that the attack was not so severe, there is always a possibility to settle the „conflict“ with a neutral mediator. This procedure is called an assailant-complainant-settlement. The outcome of such a settlement, customarily, includes the payment for compensation of injuries and/or damages as well as an official apology to the claimant.

An assailant-complainant-settlement requires that the offender seriously address the concerns of the claimant, thus the crime and its ensuing consequences should be dealt with. In addition, the offender must express his regret and willingness to make amends. Whether to participate in this sort of proceeding is freely decided by the those involved. This means that it is up to them whether they agree to participate or not. Even if both parties have agreed to this procedure, dialogue can be stopped at any point during the course of the conversation. If you have the impression, for example, that the offender has only agreed to this form of process out of fear of receiving a harsher sentence and that he doesn't actually regret his behavior and actions toward you, then you can end the conversation.

Either the appointed judge or the district attorney can petition for an assailant-complainant-settlement, but this can also be done by the offender or by you.

The Social Service Agency for Justice (Sozialen Dienste der Justiz) or another court of arbitration determines the possibility of obtaining compensation and then pursues negotiations with a qualified jury.

If the situation can be resolved in this manner, the result will be forwarded to the authorized district attorneys office. The district attorney or the judge can move for a dismissal of the criminal case or the court can mitigate the sentence.

THE ROLL OF THE MEDIA

Newspapers as well as radio and television have been reacting more sensitively in response to right-wing extremist attacks in the last few years. It is possible that journalists may seek you out after an attack in order to recount the events surrounding the attack. On the whole, a well investigated, reliable contribution from the media, which reports the actual circumstances of the crime as well as the conditions leading up to it can play an extremely positive role in establishing a public response and understanding. There are many examples in which quality media contributions have succeeded in spreading wide publicity through extensive, informative reports on the offenders, the situation leading to criminal acts as well as the victims. With media support the danger of appearing in court and confusing the offender for a victim and a victim for the offender can be alleviated.

But be careful! A Even the mostwell-informed, trusted journalists can manipulate media contributions. How can you then determine whether a journalist is reliable if you do not know him? The first tip is to consider the medium for which a journalist works. There are, for example, newspapers which belong to so-called tabloids. Cooperation with such tabloids shouldn't even be considered. If you aren't familiar with the media scene, ask your friends about the newspapers or magazines, for which the journalist works. If you decide to cooperate with a journalist, first conduct a preliminary conversation, get an impression of him and ask him about his conception and purpose. The journalist is the one who wants something from you after all.

For this reason, you should also make your interests clear. You could require, for example, that you remain anonymous in the report. It may be advisable to have a friend accompany you again on this first encounter in order for you to both make an assessment.

If a court hearing is up for decision and you, together with an attorney, are a co-plaintiff, then you should first discuss with your attorney the possibility of cooperating with the media.

If you think that the events were incorrectly described, it is a possibility to oppose the article. You should not accept the coverage in the local press nor the national media if you aren't in agreement with their report. You could describe your point of view in a letter to the editor and have it printed.

You could also get in touch with the journalist who wrote the article. It often occurs that articles are written about an attack without allowing those concerned to voice themselves. Ask the journalist why he didn't first speak with you and why he wasn't interested in hearing your point of view in regard to the situation.



WHAT SORT OF FINANCIAL HELP CAN I EXPECT?

Once the police investigation has been closed, you can motion a petition at the following authorities and organizations:

Aktion Cura

Aktion Cura is an association that has, since 1993, been financially supporting victims of racist violence who find themselves in life-threatening emergency situations. Financial assistance may be granted, for example, for the new acquisition of destroyed valuables, for the purchase of medical aid (also dentures) or for financing a holiday in order to recover. In addition, they also award money for the purpose of private teaching lessons or an educational grant.

The written application request is unproblematic and non-bureaucratic. You only need to describe what happened, the reason for applying for assistance and what amount is needed. It is always beneficial to make prior telephone inquiries as well.

The address of Aktion Cura is:

Aktion Cura, PF 30 22 04, 10753 Berlin, Tel. 030 – 23 00 43 20

Federal district attorney's office (Bundesanwaltschaft)

Since January 1, 2001, the federal government has made money available as compensation to victims of right-wing extremist, racist and anti-Semitic violence. To take advantage of this, you must first request an application form from the general federal district attorney's office, then fill it out and sign your name. Specific questions regarding the assault are asked in the form and the space allotted for your bank account details should be completed as well. If you don't have your own bank account, you can instead submit the details of a friend's bank account information or that of a victims counseling center.

If your application is approved and the money is granted, the federal district attorney's office will later collect this money from the perpetrator without you having to endure a civil process. But this also means that you withdraw your respective claim to the federal district attorney's office.

An application for compensation can then be filed with the general federal district attorney (Generalbundesanwalt), if:

- _____ the assault took place after January 1, 1999
- _____ a report was filed at a police department (even if it was never determined who the assailant was);
- _____ someone was injured, threatened or insulted and not „only“ damage to material possessions accrued.

Victims' compensation laws (Opferentschädigungsgesetz/ OEG)

In addition, the victim has the right to take advantage of the victims' compensation laws (OEG). The contributions of the OEG include treatment for recovery and illness, eyeglass replacements or similar aid, pension for widows and orphans. One can appeal for victim's compensation independent of whether the assailants were caught or not. The material situation of the victim also plays no role. The victim must apply for victims' compensation at the qualified social security office. A police report is not sufficient for this. An application form can be requested informally from the social security office (see list of addresses). Everyone who is in the situation of having to seek entitlements based on victims compensation laws should consult with someone from a victims' counseling center (see list of addresses). For certain, the affected person will be referred from here to the next office and in case of doubt, to a competent attorney specializing in this area. Unfortunately, there are a few restrictions in the law. The law designates the contributions according to the varying grades in the title of stay (residence permit or authorization to stay).

The OEG doesn't replace the civil proceedings against the perpetrators since no compensation for injuries will be covered. In addition, no material reparations will be refunded. Compensation for injuries and/or damages must be claimed from the perpetrator in a civil procedure.

WHY CAN'T I STOP THINKING OF THE ATTACK?

For many people, the events of an attack are often hard to forget. The scene repeatedly goes through the victim's mind. The day after, they brood over the situation and wonder how they came to be assaulted. Victims of attack can often no longer fall asleep at night or they wake up in a panic due to yet another nightmare. They feel so insecure that they can no longer complete daily tasks without being escorted by someone. For example, they can no longer go for a walk or go shopping by themselves without experiencing immense fear. Sometimes they are suddenly caught off guard by the memories of their attack and they have the feeling that there is nothing they can do but endure the beating yet another time. Many ask themselves, whether they aren't going crazy wondering whether this will ever cease.

All of us are more used to dealing with our physical injuries than with our emotional and mental issues and „injuries“.

Each person assumes daily, that nothing will occur to him today - that he won't be run over by a car, that no one on the street is going to waylay him, that he is principally safe. A physical attack, however, can suddenly destroy this feeling of security from one minute to the next.

How distressed one becomes and how one reacts to the shock, varies

from person to person. Nightmares, panic attacks with outbreaks of sweat, insomnia and problems with falling asleep in addition to loss of appetite are the most common reactions. Sometimes these effects come about immediately following the attack, sometimes not until much later and naturally, some people never have any such problems at all.

So In short, many different types of reactions are completely normal. As an injury needs time to heal, so does a person's soul or emotional state. This is necessary in order to deal with the events, accept them and move on.

No one can predict how long the healing process may take for a particular person. Too many things play a role in this. The living situation (security to remain in Germany, financial situation), earlier experiences, the reaction from close friends and family members, the fear of additional assaults occurring.

It is important to take the necessary time in order to process and come to terms with the experience, but also to consciously force yourself to deal with certain things. Over and over again, it has observed how important it is not to withdraw from the healing process. It has helped for many people to just talk about their experiences, to describe what they are afraid of and what exactly they can't stop thinking about. It has also been helpful to pick up where they left off, to return to their daily routine and to consciously go back out on the street, at first being escorted by friends. Relaxation exercises may assist with ongoing sleeping disorders. If need be, one can always seek assistance from a doctor and perhaps acquire a prescription for sleeping tablets. Regular meals help as well - especially when the body is reacting with loss of appetite.

After a while, one usually rediscovers a level of security and the attack becomes an experience of the past as so many other experiences. Once the proceedings against the perpetrator finally start and when you have to confront the offender face to face again, sometimes the old feelings and the fear rise up again. But even this usually passes after some time.

Some people, however, do not get over this experience until much later. After months have passed, they still feel as though the assault took place just yesterday. If this is the case, then the danger exists that this condition won't pass on its own, but will instead continue to be an ongoing burden, that can constrain you every minute of the day. The consequences of this may have lasting effects - so called psychosomatic stress, which often leads to stomach ulcers, heart disease, etc.

In such cases, it is important to seek professional help. A specialist can decipher whether the symptoms are a result of post-traumatic stress and whether this needs to be treated.

Post traumatic stress disorder

The psychological symptoms from a racist attack are naturally different from person to person. Yet there tends to be a large number of similarities: many suffer from insomnia and nightmares, social withdrawal, depressive indifference, extreme irritability and nervousness.

The numerous manifestations of post traumatic stress disorder can be distinguished in essence by three main categories:

Unintentional recollection of the attack

For many people, the attack is consistently in one's thoughts. Many even blame themselves for what happened. They can't „switch off“ the thoughts, reproaches and self-reprimands. The memories continuously reassert themselves. They return with agonizing distinction in exact detail especially before falling asleep at night. Like in memory, certain scenes from the attack reemerge in dreams as well with amazing clarity which causes the person to suddenly wake up in a cold sweat. Quite often, the same dreams keep recurring.

Numerous people experience the attack once again, but not just in their thoughts and dreams. It can happen that they suddenly behave or feel as if they were experiencing the attack yet another time. Such unintentional recollections are associated with strong emotions, which cause the person concerned to repeatedly move into a state of mental shock. When confronted by a situation, which suddenly reminds the people of their attack, they tend to lose their sense of stability with often enormous impacts.

Denying memories and feelings

In order to protect oneself from the disturbing memories, many concerned often try to repress and deny any feelings and avoid situations, which remind them of the attack.

Frequently, they refrain from participating in social situations, don't accept invitations, abruptly give up their responsibilities and hobbies and their interest in important activities often diminishes noticeably. Things that were important prior to the attack suddenly have no meaning anymore. The ability to feel joy and interest is frequently reduced. The feelings are dulled. They have no energy and stamina to plan for the future. Everything is overshadowed by the attack.

Nervousness and constant anger

A person tormented in his thoughts and feelings by memories of an attack, often develops an inner nervousness which can lead to reactions of dread and elevated watchfulness, as well as to physical reactions such as constant trembling. People who have gone through such terrible experiences are often extremely irritable and are inclined to have constant outbreaks of anger. Such inner hostility causes it to be more difficult to fall asleep or to sleep soundly throughout the night.

Ensuing problems

After an attack, in addition to post-traumatic stress disorder, other disorders such as depression may be evident.

The constant anxiety often leads to other physical ailments. Misuse of alcohol and medicine are also common consequences of a „post traumatic stress disorder“ since many of those concerned try to control the memories and nervousness with alcohol and medicine.

Normal reaction to an abnormal experience

A „post-traumatic stress disorder“ can also appear among previously healthy people. Especially if it is connected to a totally unexpected, extremely tormenting experience such as a racist attack. Symptoms of „post-traumatic stress disorder“ appear usually within three months after an attack. This may develop into „acute“ or „chronic“ reactions. One speaks of a „chronic case“ when the post traumatic stress disorder lasts longer than three months. The disorder, however, may develop slowly after much time has passed.

Those seeking asylum or foreigners with „Tolerance“ („Duldung“) also have a right to necessary treatment. It is not always easy to succeed in receiving this. However, if a specialist certifies that treatment is necessary, then the social welfare office is required to cover the costs.

Unfortunately, there are few doctors who can actually treat post-traumatic stress disorder, even fewer who can do this with a translator. Some of the institutions to which you can turn, are included in the list of addresses attached. From there, you can be referred to a doctor as well.

Financial coverage

According to paragraph 4 in the entitlement laws for asylum seekers (§ 4 des Asylbewerberleistungsgesetz (AsylbLG)), asylum seekers and tolerated refugees are entitled to medical care if an illness is either „acute“ or „painful“. Only a doctor, not the social welfare office, the social worker, nor the director of the housing project etc. can determine if an illness is „acute“, meaning there is an „acute“ need for receiving medical treatment. In order to receive a health insurance certificate (Krankenschein), the specification regarding the pain or symptoms of illness must be sufficient.

Since post-traumatic stress disorder generally is just as tormenting and connected with adverse effects as considerable physical pain, there are entitlements to medical care for this as well. There are different administrative court judgements which decide this.

Generally, however, it is not always easy to come upon this right. The course of events is as follows: Obtain the health insurance certificate from the social welfare office (possibly even without the insurance certificate), schedule an appointment with a specialized agency or with a specialized doctor, who can assess the need for medical care, write a medical verification and file an application for financial coverage.

A summons from the health center with the public health officer who reviews the need for medical care yet again. The social welfare office must cover the cost of a translator for this purpose. If the public health officer refutes the needs for medical care, one must generally seek advice from a counseling center or from an attorney in order to demand treatment.

If the social welfare office agrees to medical treatment, then it will also cover the financial costs accrued as a result of this. A request can also be made to cover the costs for a translator for the medical treatment if necessary. Yet the approval for covering these costs is disputable.

I WANT TO GET AWAY FROM HERE!

This is how many people feel after experiencing a racist attack. But those people who are involved in a process of seeking asylum, who have to live with only a temporary allowance to remain are exactly the ones restricted by not having the right to choose a new city in which to live. Their allowance for a temporary stay is limited to a certain district (residence constraint). They may only leave this particular district, if they receive a holiday pass from the civil authority office for foreign affairs.

Only those who need to accomplish certain tasks involved in the process of seeking asylum, such as an appointment at the counseling center, with an attorney or a doctor's appointment outside the district can qualify for the right to a holiday pass.

In order to be granted an allocation to another district or another federal state, one must apply for a new distribution at the foreign affairs administration in his own district. In so doing, one should clearly state one's city of preference and or the one wants to move to. The foreign affairs administration of the district in which one lives, then forwards the application on to the foreign affairs administration in the preferred district. The decision is usually made by the foreign affairs administration in the district where the person would like to be moved, the district of preference then.

If the allocation is denied, one can file further applications in other districts. The possibility exists as well to lodge a complaint to an administrative tribunal in response to the initial refusal of reallocation. This usually lasts a long time though, it can also get very expensive and you would certainly need a lawyer.

It is legally possible to submit cases for relocation based on „vital humanitarian reasons“. Such cases can be supported by the following arguments:

- through the written confirmation from a specialized doctor that

you need to undergo therapy in order to deal with the experiences of the attack in addition to a concrete written affirmation, certifying that a therapy slot in another district or state is available for you;

- in having legitimate fear of encountering another racist attack in your present area of residence, due to, for example, the fact that the perpetrators have threatened you again, thus causing you to be too scared to go out on the streets anymore;
- by being able to prove that you have friends or family living in the district or state in which you would like to relocate and that they would be willing to assist you in conquering your fears and helping you to return to your normal life.

Whether the foreign affairs office is convinced by the arguments depends totally on the official in charge. For this reason, it is better to specify several reasons simultaneously and to enclose documents at the application office, which support the arguments accordingly.

This includes:

- _ a registered police report from the police station;
- _ a newspaper-article about the attack;
- _ a certificate from a doctor or from a therapeutic facility;
- _ supportive records from the foreigners affairs office or another consulting organization etc.

Migrants With Tolerance (Duldung) can also file an application to be accommodated in another district. In such cases it's not just about an application for „relocation“ (Umverteilung), but instead for a „transfer“ (Zuzug). The process, however, is the same.



LIST OF ADDRESSES

Offices for Foreign Affairs (Ausländerbeauftragte)

Foreign Affairs District Brandenburg	Ms. Berger	Heinrich-Mann-Allee 103 14473 Potsdam	0331 – 866 59 02
District Oder-Spree	Ms. Nikulka	Luchstrasse 32 15848 Beeskow	03366 – 35 10 30
City Brandenburg	Ms. Tietz	Neuendorfer Str.90 14770 Brandenburg/ Havel	03381 – 581601
City Cottbus	Mr. Wegener	Neumarkt 5 03046 Cottbus	0355 – 612 2944
District Barnim	Ms. Böttger	Hegermühler Str. 75 16225 Eberswalde	03334 - 21 43 20
City Eisenhüttenstadt	Ms. Heyer	Zentraler Platz 1 15890 Eisenhütten- stadt	03364 – 56 63 31
District Spree-Neisse	Ms. Wagschal	Heinrich-Heine-Str.2 03149 Forst	03562 – 98 61 00 03
City Frankfurt/O.	Ms. Steuer	Marktplatz 1 15230 Frankfurt/O.	0335 - 5 52 13 30
City Guben	Mr. Großmann	Uferstr. 22 – 26 03172 Guben	03561 – 6871310
District Elbe-Elster	Mr. Brückner	An der Laufter 5 04916 Herzberg	03535 46 44 37
District Dahme-Spreewald	Ms. Voigt	Reutergasse 12 15907 Lübben /Schloßplatz 15711 Königs - Wusterhausen	03546 – 201 11 03375 – 26 26 14
District Teltow-Fläming	Ms. Kollert	Am Nuthefließ 2 14943 Luckenwalde	03371 – 6 08 10 85
City Ludwigsfeld	Ms. Uljaki	Rathausstr. 3 14974 Ludwigsfelde	03378 – 82 71 04

City Mahlow	Mr. Özbek	Maxim-Gorki-Str. 12 15831 Mahlow	3379 – 37 95 87
District Ostprignitz-Ruppin	Ms. Grunst	Virchow-Str. 14 – 16 16816 Neuruppin	03391 – 68 81 91
District Oberhavel	Ms. Höhne	Poststr. 1 16515 Oranienburg	03301 – 60 11 37
District Prignitz	Ms. Schmidt	Berliner Strasse 49 19348 Perleberg	03876 – 71 32 25
District Potsdam-Mittelmark	Mr. Tschechowski	Fr.-Ebert-Strasse 79/81 14469 Potsdam	0331 – 23 12 103 / 2,4
City Potsdam	Ms. Grasnick	Fr.-Ebert-Strasse 79/81 14461 Potsdam	0331 – 2 89 10 83
District Uckermark	Mr. Memet	Stettiner Strasse 21 17291 Prenzlau	03984 – 70 23 00
District Havelland	Ms. Steidl	Platz der Freiheit 1 14712 Rathenow	03385 – 55 112 31
District Märkisch-Oderland	Ms. Huhn	Puschkinplatz 12 15306 Seelow	03346 – 85 04 46
District Oberspreewald-Lausitz	Ms. Grundmann	Dubinaweg 1 01968 Senftenberg	03573 – 87 01 032

Advice for Refugees Brandenburg (Flüchtlingsrat Brandenburg)

Ms. Judith Gleitze	Eisenhartstrasse 13 14482 Potsdam	0331 – 716 499 0170 – 51 20 752
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Anti-Discrimination Office Brandenburg (Antidiskriminierungsstelle Brandenburg)

Mr. Harald Klier	Heinrich-Mann-Allee 103 14473 Potsdam	0331 – 866 59 54
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Aktion Cura

Ms. Herrenfeld	PF 30 22 04 10753 Berlin	030 – 23 00 43 20
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Trauma Therapy Utilities (Traumatherapieeinrichtungen)

Xenion	Roscher Straße 2a 10629 Berlin	030 – 32 32 933 030 – 32 48 575
BehaTherapy Center for Torture Victims Berlin	Klinikum Westend Spandauer Damm 130 1405 Berlin	030 – 30 39 06 - 0

Counseling centers for victims of racist and right-wing extremist attacks
(Beratungsstellen für Opfer rassistischer und rechtsextremer Gewalt)

Victim perspectives	Lindenstraße 53 14467 Potsdam	0171 – 19 35 669
Walk-in center for victims of right-wing violence	Parzellenstraße 79 03046 Cottbus	0172 – 75 85 772
Contact and counseling center for victims of right-wing violence	Breitscheidstraße 41 16321 Bernau	0333 – 754 667
Counseling center for victims of right-wing violence	PF 1126 15331 Strausberg	0173 – 634 36 04
Counseling center for victims of right-wing violence	Berliner Straße 24 15230 Frankfurt/Oder	0335 – 665 99 94 0335 – 280 12 19 0179 – 12 65 680
in Berlin: Reach Out	Köpenicker Straße 9 10997 Berlin	030 – 695 68 339

(General) Counseling for Victims (allgemeine) Opferberatung

Ms. Priet	Gutenbergstraße 15 14467 Potsdam	0331 – 28 02 725 0331 – 86 47 52
Ms. Strzodka	Wehrpromenade 2 03042 Cottbus	0355 – 72 96 052
Ms. Fischer	Bauhofstraße 56 14776 Brandenburg	03381 – 22 48 55 0331 – 86 47 52
Ms. Murowski	Wehrstraße 01968 Senftenberg	03573 – 14 03 34
Homosexual attack telephone hotline Berlin	Motzstraße 5 10777 Berlin	030 – 217 532 13

DAV Foundation contra right-wing extremism and violence (DAV
Stiftung gegen Rechtsextremismus und Gewalt)

German Attorneys' Club	Littenstraße 11 10179 Berlin	030 – 72 61 52- 0 Fax 030 – 72 61 52- 190
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District Attorney Offices in Brandenburg (Staatsanwaltschaften in
Brandenburg)

General District Attorneys	Kirchhofstraße 1-2 14776 Brandenburg	0338 – 295 - 200
Cottbus	Karl-Liebknecht-Str. 33 03046 Cottbus	0355 – 361 - 0
Frankfurt/Oder	Logenstraße 8 15230 Frankfurt/Oder	0335 – 55 48 - 0
Potsdam	Heinrich-Mann-Allee 103 Haus 18 14473 Potsdam	0331 – 88 33- 0
Neuruppin	Alt Ruppiner Allee 80 16816 Neuruppin	03391– 35 89 11 - 15

Social Security Offices (Versorgungsämter)

District	Address	Telephone
Spree-Neisse Oberspreewald-Lausitz Dahme-Spreewald Elbe-Elster Stadt Cottbus	Social Security Office Straße der Jugend 33 03054 Cottbus	0355 – 476 55 61
Oder-Spree Märkisch-Oderland Barnim Uckermark Stadt Frankfurt/Oder	Social Security Office Robert-Havemann-Str. 4 15236 Frankfurt/Oder	0335 – 558 22 50
Prignitz Ostprignitz-Ruppin Oberhavel Havelland Potsdam-Mittelmark Teltow-Fläming Stadt Potsdam Stadt Brandenburg	Social Security Office „Ruinenberg-Kaserne“ Einsiedlerei 6 14469 Potsdam	0331 – 276 12 30



Straf anzeige

Name
Straße, Hausnummer
Postleitzahl, Ort

Ort, Datum

An die
Staatsanwaltschaft XXX
XXX
XXX

Police Report

A complaint can be lodged and only then will the penalty be pursued based on insult or slander in addition to simple, intentional and negligent bodily harm. One sentence will suffice, in which you refer to the fact that you filed a police report for the particular criminal case. The journal number, which you obtained from the officials when filing the police report should be included in this letter.

Straf anzeige gegen Unbekannt

Sehr geehrte Damen und Herren,

hiermit erstatte ich Strafanzeige und stelle Strafantrag gegen Unbekannt.

Am 20.08.2001 um ca. 20.45 Uhr ging ich vom Potsdamer Hauptbahnhof in Richtung Innenstadt die Bahnhof Str. entlang. An einer Grünanlage saßen drei Jugendliche, die sofort aufsprangen, als sie mich sahen. Die drei kamen auf mich zu und beschimpften mich mit den Worten: „Du „Scheiß-Neger“ was willst du hier, hau ab nach Afrika oder wir schlagen dich tot.“ Ich war sehr ängstlich und wollte weglaufen, doch einer hielt mich fest und schubste mich in die Richtung der anderen beiden. Alle drei fingen unvermittelt an, auf mich einzuschlagen bis ich am Boden lag, dann traten sie mir mehrmals in den Magen. Ich stellte mich bewusstlos und die Täter hörten auf, mich zu treten, und liefen davon. Kurz darauf kam eine Frau zu mir und half mir auf die Beine. Sie sagte, dass sie alles gesehen hat und dass ich eine Anzeige machen soll. Die Frau heißt Vera Müller.

Die drei Täter kann ich folgendermaßen beschreiben:

Der Mann, der mich festgehalten hat, trug eine grüne Fliegerjacke, blaue Jeans und schwarze hohe Stiefel. Er hatte sehr kurze Haare, so dass eine Haarfarbe nicht zu erkennen war. Er ist etwa 1,80 m groß, und ich schätze, dass er 17 bis 19 Jahre alt ist. Einer von den anderen beiden rief ihm zu: „Kalle halt den Neger fest.“

Die anderen beiden waren ähnlich gekleidet aber kleiner und jünger. Da ich sie aber nur kurz gesehen habe, kann ich keine weiteren Hinweise geben.

Ich bin am nächsten Tag zum Arzt gegangen, der mir eine Kieferprellung, eine aufgeplatzte Lippe sowie eine Rippenprellung diagnostiziert hat.

Als Zeugin benenne ich Frau Vera Müller, XXstr. 37, 14678 Potsdam. Frau Müller ist bereit, als Zeugin auszusagen.

Mit freundlichen Grüßen

Name

Anlage: Ärztliches Attest

Straf antrag

Name
Straße, Hausnummer
Postleitzahl, Ort

Ort, Datum

An die
Staatsanwaltschaft XXX
XXX
XXX

Straf antrag gegen Unbekannt
Tagebuchnummer : XXXXX

Sehr geehrte Damen und Herren,

hiermit stelle ich in der oben genannten Sache Strafantrag.

Mit freundlichen Grüßen

Name

Filing A Criminal Complaint

The events of the crime should be described in a written criminal complaint. The following points are important. Time of the crime; scene of the crime; circumstances of the assault; number of perpetrators; description of perpetrators; possible witnesses; injuries sustained.

Dienstaufsichtsbeschwerde

Name
Straße, Hausnummer
Postleitzahl, Ort

Ort, Datum

An das
Polizeipräsidium XXX
XXX
XXX

Dienstaufsichtsbeschwerde gegen die Mitarbeiter der Polizeiwache XX-Str.
17, in XXX

Sehr geehrte Damen und Herren,

hiermit stelle ich eine Dienstaufsichtsbeschwerde gegen die Polizeibeamten, die am 22.08.01 um 11.30 in der oben genannten Polizeiwache Dienst hatten. Die diensthabenden Beamten weigerten sich trotz meiner sichtbaren Verletzungen, Anzeige wegen Körperverletzung aufzunehmen. Vielmehr erklärten sie mir, dass kein Straftatbestand zu erkennen sei und forderten mich auf, die Polizeiwache zu verlassen.

Mit freundlichen Grüßen

Name

**Supervisory Grievances Committee
(Dienstaufsichtsbeschwerde)**
When filing a complaint with the Supervisory Grievance Committee (Dienstaufsichtsbeschwerde), be sure to include the police station and/or the police number of the officer against whom the complaint is lodged. In addition, you should include the reason for the complaint, for example, if a police officer refused to cooperate while you filed the police report.

Sachstandsanfrage

Name
Straße, Hausnummer
Postleitzahl, Ort

Ort, Datum

An die
Staatsanwaltschaft XXX
XXX
XXX

Sachstandsanfrage zur Anzeige gegen Unbekannt
Aktenzeichen: XXXXXX (Tagebuch- Nr. XXXX)

Sehr geehrte Damen und Herren,

Ich habe am 22.08.01 eine Anzeige gegen Unbekannt gestellt.
Ich möchte Sie bitten, mir den Stand der Ermittlungen mitzuteilen.

Mit freundlichen Grüßen

Name

Inquiry into the Status of Your Case (Sachstandsanfrage)
In an inquiry into the status of your case (Sachstandsanfrage), you can obtain the most current information regarding the status of the preliminary proceedings. Just write in one or two sentences, that you want to inquire into the current status of the investigation surrounding your case. Be sure to include the journal number or the file number of the police report.

Auskunft über Ausgang des Verfahrens

Name
Straße, Hausnummer
Postleitzahl, Ort

Ort, Datum

An die
Staatsanwaltschaft XXX
XXX

Auskunft über Auskunft über Ausgang des Verfahrens
Aktenzeichen: XXXX (Tagebuch-Nr. XXX)

Sehr geehrte Damen und Herren,

ich bin Geschädigter in der oben genannten Strafsache. Ich möchte wissen, ob und in welchem Maße der Beschuldigte gerichtlich verurteilt wurde. Ich bitte gemäß § 406d StPO um Auskunft über den Ausgang des gerichtlichen Verfahrens.

Mit freundlichen Grüßen

Name

Information about the outcome of the proceedings
As the one harmed, the officials should inform you when a proceeding is dropped or closed. If this does not occur, you have the right to request information regarding the outcome of the proceeding. Include the journal number or the file number in this letter as well and simply write that you would like to be informed about the outcome of the proceeding.