

Staatsanwaltschaft Hamburg
(Hamburg Public Prosecution Office)

Postfach 30 52 61
20316 Hamburg
Germany

Information
on how to prevent the enforcement of default imprisonment
by doing community service work

You were sentenced to pay a fine some time ago. You failed to pay the fine. You did not respond to a reminder either. The Hamburg Public Prosecution Office therefore has to enforce default imprisonment (Section 459e, subsection (1), of the German Code of Criminal Procedure (StPO)).

You can, however, avoid imprisonment by voluntarily doing unpaid community service work. In this case, one day of default imprisonment is prevented by doing **five hours** (in cases of hardship three hours) of community service work. This is a one-time offer.

The work can be done, for example, in municipal facilities and in non-profit institutions. Previous job experience can facilitate community service work placement there but is not a prerequisite. Your own suggestions for possible placements will be taken into consideration and checked to see if the desired placement is suitable in your case.

If you want to use it to avoid enforcement of default imprisonment, it is absolutely necessary that you contact the placement office, which has been entrusted with the organisation and supervision of the work to be done on a **voluntary** basis, **within one week**. An employee of the Community Service Work Department will agree a consultation appointment with you to discuss all further details.

You must contact the Public Prosecution Office directly if you do not live in Hamburg. It will then inform you of the placement office responsible for you.

The competent office in Hamburg is:

Fachamt Straffälligen- und Gerichtshilfe (Offender and Court Assistance Authority)
Fachstelle Gemeinnützige Arbeit (Community Service Work Department)
Max-Brauer-Allee 41, 22765 Hamburg (near Altona railway station)
E-mail: sg24@eimsbuettel.hamburg.de
Tel.: (040) 428 11 – 2400 Fax: (040) 427 90 3086

Consultation hours:

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|-------------------------------|---------------------------|------------------------------|
| Mondays: | 15:00 – 18:00 hrs. | (in person and by telephone) |
| Tuesdays: | 09:00 – 12:00 hrs. | (by telephone only) |
| Wednesdays to Fridays: | 09:00 – 12:00 hrs. | (in person and by telephone) |

The following documents must be brought to the consultation appointment:

- **The letter from the Public Prosecution Office referring to the possibility of community service work,**
- **the summons to start default imprisonment or the approval of the community service work by the Public Prosecution Office,**
- **proof of payment in this matter,**
- **current proof of your current income situation (e.g. proof of unemployment/welfare benefit letter)**

The Public Prosecution Office will, in the meantime, refrain from issuing an arrest warrant for enforcement of default imprisonment. If you are unexpectedly unable to attend the agreed appointment, you should therefore immediately ask for a new appointment because the enforcement suspension will end with immediate effect if you do not attend the appointment without excuse or if a community service work placement cannot be assigned for reasons for which you are responsible. You can then expect your arrest unless you immediately turn up voluntarily to serve default imprisonment or pay the (remaining) fine.