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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section.

The Supreme Council of the Republic of Latvia

has adopted the following Law:

On Police

This Law sets out the concept of the police, its tasks, principles of operation and place in the system of State administration and local government institutions, the duties, rights, structure and competence of the police and legal protection for police officers, operational guarantees, liability, basic principles for performance of service; financing and procedures for the provision of material and technical facilities; and the supervision and control of police operations. The provisions of this Law are not applicable to the activities of the State Revenue Service Financial Police.

[5 December 1996]

Chapter I

General Provisions

Section 1. The Police

The police are an armed, militarised State or local government authority, whose duty is to protect from criminal and other illegal threats life, health, rights and freedoms, property, and the interests of society and the State.

[8 June 1994]

Section 2. Police Officers

A police officer is a person, who holds a position in a police institution (subordinate unit) or in the Ministry of the Interior Information Centre, or in the Ministry of the Interior Communications Centre, who has a special service rank, and who has given an oath.

A police officer is a specialised State civil service civil servant.

[2 November 1995; 23 October 1997; 24 January 2002; 24 October 2002]

Section 3. Tasks of the Police

The tasks of the police are:

- to guarantee the safety of persons and society;
- to prevent criminal offences and other violations of law;
- to disclose criminal offences and search for persons who have committed criminal offences;
- to provide assistance, in accordance with procedures prescribed by law, to persons, institutions, undertakings, and organisations in the protection of their rights and the carrying out of tasks prescribed by law; and

- to implement, within the scope of its competence, administrative sanctions and criminal sentences.

It is prohibited to involve the police in the performance of such tasks as are not prescribed by the laws of the Republic of Latvia.

No one has the right to interfere with the actions of the police during the performance of its duties, except for institutions and officials expressly so authorised by law.

[15 June 2000]

Section 4. Legal Basis for Police Operations

The legal basis for the operations of the police is the Constitution of the Republic of Latvia, international agreements, this Law, other laws and regulatory enactments of the Republic of Latvia, and decisions of local governments, if they are not contrary to the laws of the Republic of Latvia.

[2 November 1995; 5 December 1996.]

Section 5. Organisation of Work and Principles of Police Operations

The operations of the police shall be organised observing lawfulness, humanism, human rights, social justice, transparency and a undivided authority, and relying on the assistance of the public.

The police shall protect the rights and lawful interests of persons irrespective of their citizenship, social, economic and other status, race and nationality, gender and age, education and language, attitude towards religion, political and other convictions.

For the purpose of non-discriminatory protection of the rights and freedoms of persons and State interests, police officers shall not participate in the activities of parties and other socio-political organisations and movements, and shall suspend their membership in such for the duration of service in the police.

The police, by its operations, shall ensure the observance of the rights and freedoms of persons. Restriction of such rights and freedoms shall be permitted only on the basis of law and in accordance with procedures prescribed by law. Each time that the police restrict the rights and freedoms of persons, the police officers shall offer them an explanation, which shall justify each specific restriction. In such cases, pursuant to the request of the person, the police officer shall give his or her surname, position, and service location, and shall show the service identification document.

The police shall provide arrested or detained persons the opportunity to exercise the right to have the assistance of counsel and, if these persons so wish, shall without delay notify their families and the administration of the place of work or educational institution regarding their location. The police shall ensure that the health of the arrested or detained persons is protected, and shall carry out emergency measures for the provision of medical assistance and the protection of property of such persons.

Section 6. Transparency of Police Operations

The police, in the interests of the service, shall inform State and local government institutions as well as the public regarding police operations.

The police are prohibited from disclosing information that is an official secret or other secret specifically protected by law and which contains commercial secrets or patent secrets. It is prohibited to disclose data from a pre-trial investigation without the permission of the prosecutor or the head of the investigative institution, as well as materials that are contrary to the presumption of innocence.

The police are prohibited from disclosing information, which infringes on the privacy of persons or violates the honour and dignity of natural or legal persons, if such activity does not occur in the interests of securing lawful order or conducting an investigation.

The police shall retract information that it has disseminated with respect to persons, undertakings, institutions and organisations if it is not true. The retraction shall be disseminated within one month in the same manner that the false information was disseminated.

[15 June 2000]

Section 7. Co-operation of the Police with State and Local Government Institutions, Undertakings and Organisations

State and local government institutions, undertakings and organisations and their officials shall provide assistance to the police in the performance of its duties.

The police shall co-operate with undertakings that perform security functions, with the civil security services of undertakings, institutions and organisations (fire fighting, traffic safety and other services), as well as with health services, social support and charity services of local government institutions, and shall support them in crime prevention.

Section 8. International Co-operation of the Police

The police shall co-operate with the police (militia) of other states, international organisations, unions or community, as well as participate in international missions and operations in accordance with international agreements, which are binding on the Republic of Latvia.

The Cabinet shall take a decision regarding the participation of police officers in international missions and operations.

The Cabinet shall determine the procedures by which police officers are assigned and sent to participate in international missions and operations, as well as the procedures for the financing thereof.

[20 March 2003]

Section 8.¹ Police Liaison Officers

The Chief of the State Police and the Chief of the Security Police have the right to send to foreign states for the performance of service duty, liaison officers.

During the time when a liaison officer is performing service duties outside the Republic of Latvia, in addition to remuneration for work and the social guarantees specified in regulatory enactments, he or she has the right to receive the following allowances:

- 1) salary allowance for service in a foreign state;
- 2) allowance for supporting a spouse in a foreign state;
- 3) allowance for supporting children in a foreign state;
- 4) allowance for the acquisition of household inventory in transferring to a place of service in a foreign state; and
- 5) allowance to cover the utilisation for service needs of transport expenditures.

During the time when a liaison officer is performing service duties outside the Republic of Latvia, in addition to the compensations specified in regulatory enactments, he or she shall be compensated for the following expenses:

- 1) rent of dwelling and utility expenses;
- 2) expenses associated with the entering into of dwelling rental agreement;
- 3) school and pre-school expenses for children;
- 4) travel and transfer expenses; and
- 5) health insurance and accident insurance expenses.

The amount of the allowances and compensation referred to in Paragraphs two and three of this Section and the procedures for the payment thereof in conformity with the specific circumstances of the place of service in a foreign state shall be determined by the Cabinet.

The allowances and compensation referred to in Paragraphs two and three of this Section shall not be taxed with the taxes provided for in law and other mandatory payments.

[27 May 2004]

Chapter II

Duties of Police Officers

Section 9. General Duties of Police Officers

The duty of any police officer throughout the entire territory of the Republic of Latvia, regardless of the position held by him or her, location or time, shall be, in cases when persons address the officer with an application or a report about an incident which endangers the security of persons or society, or if the officer determines such an incident himself or herself, to take all measures possible to prevent a violation of the law, rescue people and offer them assistance in the identification and arrest of persons who committed the violation of the law, determination of eye-witnesses, guarding the location of the incident, and notifying the nearest police institution regarding the incident

[15 June 2000]

Section 10. Basic Duties of Police Officers

In accordance with the tasks set for the police, the basic duties of a police officer, in conformity with the competence of the service, are:

- 1) to ensure order on roads and streets, in public squares, parks, public means of transport, airports, ports, stations and other public places in order to guarantee the safety of persons and society;
- 2) to record information regarding criminal offences and other violations of the law and regarding persons who have committed such, as well as incidents that endanger public safety, and to react without delay to such and report to officials having competence regarding the discovered incidents (accidents, fires, catastrophes, natural disasters and others) that endanger the safety of persons, society or the State;
- 3) to provide medical and other emergency assistance to persons who have been injured as a result of violations of law or of accidents, or who are in a helpless situation, even if they, in a state of inebriation, have lost the ability to move independently or may cause harm others nearby or themselves, as well as to provide assistance to minors who have been left without the supervision of their parents or their substitutes;
- 4) pursuant to the requirements of the law, to conduct investigations, in accordance with prescribed procedures ensure the participation of criminalistic experts in investigative activities, conduct the necessary operative searches and other measures prescribed by law in order to disclose, stop or prevent criminal offences, to identify and search for persons who have done such or who are hiding from inquiry, investigation or the court, or are evading the serving of a criminal sentence or who are missing, as well as to determine the identity of persons and to identify corpses;
- 5) to execute court adjudications and the decisions and instructions of the prosecutor associated with conducting searches and investigatory operations;
- 6) to prevent and stop administrative violations, to determine the guilty persons, to prepare reports within the scope of his or her competence, to examine case files regarding such offences or to transfer them for examination according to jurisdiction;
- 7) within the scope of his or her authority, disclose the causes of criminal offences and administrative violations and contributing circumstances to such, and carry out measures to prevent such; participate in providing the legal education of persons;

- 8) to guard, convey and keep in custody arrested and detained persons, and within the scope of his or her competence to execute criminal sentences and administrative sanctions, as well as to convey and guard persons sentenced to deprivation of liberty in the performance of investigatory activities in relation to the adjudication of matters in a court and between places of imprisonment;
- 9) in conformity with contracts entered into, to guard facilities in accordance with procedures prescribed by the Cabinet; and to control the activities of undertakings established to perform security functions;
- 10) to carry out measures for the safe-keeping of property in abeyance or found concealed property until the transfer of such to the custody of a State institution or official having competence; to ensure the safe-keeping of documents, property, securities and other belongings, found and handed over to the police, until the return of such to the owner;
- 11) to regulate the movement of means of transport and pedestrians, monitor traffic, monitor the condition of roads and streets as well as the technical condition of technical regulatory devices and of means of public transport;
- 12) to control the observance of regulations in the field of circulation of weapons;
- 13) [14 April 2005]
- 14) [6 December 2001]
- 15) [15 June 2000]
- 16) to provide for the safety of witnesses, victims, other persons and members of their families, as well as the guarding of their property if the life, health or property of such persons is endangered in connection with assistance they have provided to law-enforcement institutions in the disclosure and prevention of criminal offences;
- 17) to execute the decisions of courts (judges) and prosecutors with respect to the forcible conveyance of persons who are evading presenting themselves after being summoned, and execute court decisions regarding detention; and
- 18) to register and list road traffic accidents.

The types of road traffic accidents, the circle of persons who are considered to be victims and deceased in road traffic accidents, as well as the procedures for the registration and listing of road traffic accidents, the procedures and amount for the receipt and issue of information in respect of the persons to be registered shall be determined by the Cabinet.

[20 March 1997; 23 October 1997; 15 June 2000; 6 December 2001; 20 June 2002; 27 May 2004; 14 April 2005]

Section 11. Supplementary Duties of Police Officers

Police officers, within the scope of their competence, have the duty to assist:

- 1) members of parliament, candidate members of parliament as well as officials of State institutions if their lawful activities are being interfered with;
- 2) health protection and veterinary supervision institutions – in the conduct of quarantine measures in cases of epidemics and epizootics;
- 3) medical institutions, medical personnel, public health service epidemiologists and State health inspectors – in the forcible conveyance for monitoring or treatment of persons suffering from alcohol, narcotic, psychotropic or toxic substances addiction or venereal diseases, persons who are mentally ill and a danger to the public, as well as the conveying and guarding in a medical institution of persons for which there is sufficient basis to conclude that they are infected with the immunodeficiency virus (HIV) or infectious diseases, the list of which is approved by the Cabinet, if they avoid coming to a medical institution;
- 4) prison institutions – in the prevention of violations of the law and disclosure of criminal offences in such institutions;

- 5) fire-fighting and rescue services – in the conduct of preventive measures, fire-fighting as well as rescue operations;
- 6) military units and institutions – in the search for lost and stolen weapons, ammunition, explosives and other substances, articles and objects dangerous to the public.
- 7) control services of motor transport and urban electric transport – in ascertaining the identity of violators of traffic regulations;
- 8) environmental protection and customs authorities, the State Revenue Service and the Department of Citizenship and Migration Affairs – in their lawful activities; and
- 9) State Border Guard – in the control and prophylaxis of the observance of the regulations for the entry, residence, exit and transit of aliens and stateless persons.

[20 March 1997; 23 October 1997; 13 May 1999; 15 June 2000; 6 December 2001; 27 May 2004]

Part III

Rights of Police Officers

Section 12. General Rights of Police Officers

Police officers, in performing duties assigned to them in conformity with the competence of the service, have the right:

- 1) to request persons to cease violations of law and other actions that interfere with the execution of police authority, as well as use against persons violating the law the prescribed compulsory means of constraint;
- 2) to check personal identification documents of persons suspected of having committed violations of the law, as well as other documents necessary in order to check the observance of such legal norms, the performance of the control and monitoring of which has been assigned to the police;
- 3) to summon to a police institution any person in connection with matters and materials the examination of which is within the competence of the police, but, if such persons do not present themselves pursuant to the summons without justifiable reason, forcibly convey them in accordance with procedures prescribed by law;
- 4) to prepare reports regarding administrative violations; in cases and in accordance with procedures prescribed by law, to convey persons violating the law to a police institution, to conduct an examination of such persons, to remove and check property and documents, to hold under administrative arrest persons violating the law and to carry out other measures prescribed by law to ensure record-keeping of administrative violations, as well as to apply administrative sanctions or in accordance with prescribed procedures to send the reports according to jurisdiction;
- 5) to arrest military persons who have violated the law and to hand them over to the military commandant or commanding officer of a military unit or of a military institution;
- 6) to arrest and, until transfer to institutions having competence, hold in custody in specially equipped premises persons who evade serving a criminal sentence, administrative custodial arrest, or detention;
- 7) in accordance with procedures prescribed by law, to arrest and to hold under guard persons suspected of committing criminal offences or administrative violations;
- 8) to arrest persons up to the age of 16 who have without permission left their residence or an institution for children and to hold them in custody in a police institution until handing them over to the parents or their substitutes, or to institutions for children;
- 8¹) to arrest until the handing over to competent institutions persons who have violated the requirements of alien and stateless persons entry, residence, exit and transit regulations;
- 9) to convey to a medical institution or a dwelling persons who, as a result of the use of alcohol, narcotic, psychotropic or toxic substances, have lost the ability to move independently or orientate, or may do harm to

others nearby or themselves, but, if such is not possible, to convey them to a police institution and to hold them in custody there in specially equipped premises until sober, but not longer than 12 hours;

10) to arrest, on the basis of a written application, persons in a dwelling who are under the influence of alcohol, narcotic, psychotropic or toxic substances and may cause harm to themselves or persons nearby, as well as in cases when people nearby are afraid to remain alone with such a person and if there is no other basis for their arrest, as well as to keep such persons in custody at a medical or police institution until sober or until the determination of the circumstances;

11) to arrest persons with unmistakable mental dysfunction and who through their actions create obvious danger to themselves or to persons nearby, and to keep them in custody in a police institution until handing them over to a medical treatment institution or conveying them to a dwelling;

12) to convey to a police institution persons who have attempted to commit suicide and, if they do not require medical assistance, to hold them in custody at a police institution until clarification of the circumstances of the event, but not longer than three hours;

13) to maintain records of persons who have committed criminal offences or administrative violations and of persons declared as wanted, and maintain records of such items and information as are necessary in order to carry out the tasks of the police;

14) to register, to take fingerprints, to obtain other data necessary for identification of persons, to obtain audio recordings, to photograph and to film persons who have been detained, accused of committing a criminal offence, are under administrative arrest, as well as persons who have committed other violations of the law, if such persons knowingly resist identification;

15) to temporarily restrict or suspend transport or pedestrian traffic on streets and roads, as well as the entry or exit of persons in specific places or facilities, if such is required in the interests of public safety, saving lives of persons, protection of health and property, as well as investigation;

16) to gain entry at any time of day or night to a residential unit without the permission of the residents therein (if necessary, by use of physical force) in cases when a person is to be arrested at the scene of the crime, or when the lives of other persons are endangered; to gain entry at any time of day or night to non-residential premises and the territory of land parcels belonging to institutions, undertakings, organisations and persons (if necessary, by use of physical force), except such non-residential premises and territory of land parcels that has extraterritorial or other special regimen status, in cases when a person is to be arrested at the scene of the crime, the lives of other persons are endangered, as well as in cases of natural disasters and other emergencies when the safety of persons and society is endangered. In each instance when police officers in cases provided for in this Section have gained entry into a residential unit against the will of the inhabitants or by the use of physical force, they must notify the prosecutor regarding such in writing without delay, but not later than within 24 hours. In any other case, entry into residential premises and other premises belonging to persons, institutions, undertakings (companies) or organisations is permitted only in cases prescribed by law on the basis of a decision by a judge, or in emergency cases with the consent of the prosecutor, to search a place;

17) for the purposes of determining whether persons have used alcohol, narcotic, psychotropic or toxic substances, in accordance with procedures specified by the Cabinet, to test them with portable alcohol concentration specification measurement devices or to convey such persons for the carrying out of testing at a medical treatment institution if an opinion is required in order to confirm or refute the fact of a violation of law or to review objectively a matter regarding the commission of a violation of the law;

18) pursuant to the instructions of the Chief of the State Police during the implementation of a planned measure, to stop means of transport and inspect such (except means of transport of diplomatic and consular representatives) in order to arrest persons and means of transport for which a search has been declared;

19) to conduct an inspection of the carry-on baggage and other baggage of aeroplane passengers and, if necessary, also an examination of the passengers, with the exception of inspection and examination of the baggage and persons of diplomatic and consular representatives and members of the parliament of the Republic of Latvia;

20) to stop a means of transport and conduct an inspection of it if there is a basis to believe that the driver of the means of transport has violated the requirements of regulatory enactments regulating road traffic; to prohibit the use of a means of transport whose technical condition endangers the safety of transport movement; to suspend from driving a means of transport persons who are intoxicated with alcohol, under the

influence of narcotics or other intoxicating substances, as well as persons who do not have documents for the use of the specific means of transport or a driver's licence for the relevant category of the means of transport; to convey a means of transport to a police institution for the performance of a necessary examination if a search for it has been declared or there are grounds to suspect that the registration documents, State registration number or the vehicle identification number of the means of transport have been unlawfully changed or forged, or there is not any means of transport registration or ownership rights verification documents and otherwise it is not possible to determine the legality of the use of the means of transport;

20¹) to remove and convey to a police institution a wrecked means of transport abandoned at the scene of a road traffic accident for a time until the circumstances of the matter are clarified;

21) to restrict or to prohibit repair and construction as well as performance of other work on streets and roads if the requirements regarding the guaranteeing of public safety and traffic safety are not being observed;

22) in order to prevent and disclose criminal offences in a timely manner, to conduct operative search measures in cases and in accordance with procedures prescribed by law, also by involving persons in undercover collaboration;

23) in order to prevent and disclose an economic criminal offence, if there is sufficient basis to believe that such a criminal offence is being prepared or has been carried out:

to check the legality of the acquisition of property of undertakings, companies, institutions and organisations and the safety of storing such in production, transport and marketing facilities; for such purpose visit undertakings (companies), institutions and organisations and together with the owner, their representatives or authorised persons, but, if they evade, together with representatives of the local government inspect the production facilities, warehouses, sales and other service premises and territories, as well as means of transport; check documents of officials, financially liable persons and freight carriers regarding financial and other valuable items and, if necessary, in the presence of such persons, compare the conformity of goods, raw materials, partially processed and finished products found in warehouses, production and other facilities and in transport vehicles, with their documentation as well as to request from such persons explanations in cases if the law has been violated; to request the necessary documents, to make control purchases, to take samples of raw materials, partially processed and finished products; until the commencement of inventory taking, removal of documents or performance of an inspection, to seal the cash office facilities as well as places where documents, money, goods and materially valuable items are kept, and to carry out other measures in order to ensure the preservation of such;

to conduct an inspection in order to determine how the consumer protection norms and regulations are being observed in the production, storage, transport and sale of consumer goods as well as in the provision of consumer services;

to require of the relevant officials an inventory, audit or inspection of the production, financial and commercial activities of institutions, undertakings (companies) and organisations, with the participation of economic specialists in such measures;

24) to remove objects, articles and substances, the manufacture, acquisition, storage or sale of which is prohibited by law or which are being stored without a permit, if according to law such is required, as well as to remove documents with indications of falsification;

25) [14 April 2005]

26) in urgent cases, with the consent of the driver of the means of transport, to utilise means of transport belonging to undertakings, organisations or persons (except the means of transport of foreign diplomatic, consular and other representation offices and international organisations, as well as specialised means of transport) to drive to the site of the incident or to convey persons to medical treatment institutions, if such persons require urgent medical assistance, as well as the pursuit of persons who have committed crimes, and the emergency conveyance of arrested persons to a police institution;

27) without payment therefor, to utilise local means of communication belonging to institutions, undertakings and organisations for service requirements;

28) without payment therefor, to utilise State and local government means of mass communication in order to ascertain the circumstances for the committing of a criminal offence and the persons who committed such, search for criminals and missing persons, as well as to carry out crime prevention measures;

29) announce and pay a reward to any person for assistance in disclosing a criminal offence and in arresting persons who have committed crimes; and

30) in accordance with procedures prescribed by law, arrest and hold under guard persons to whom compulsory expulsion from the State is being applied or may be applied.

The procedures that police officers shall use in exercising the rights prescribed by this Section shall be determined by the Minister for the Interior, if it has not been specified otherwise by law or a decision of the government.

The procedures by which a means of transport is conveyed to a police institution for examination, is stored and returned to the owner, as well as the time period for the performance the examination of the means of transport shall be determined by the Cabinet.

[5 December 1996; 20 March 1997; 15 June 2000; 4 October 2001; 6 December 2001; 27 May 2004; 14 April 2005]

Section 13. Rights of Police Officers to Use Physical Force and Special Means

Police officers have the right to use physical force, special fighting techniques, handcuffs, means of tying, batons, tear-eliciting substances, special paints, psychological impact lights and sound devices, devices for opening premises occupied by persons violating the law, means to demolish barriers and forcibly stop transport, water cannons, armoured vehicles, helicopters and other special means of transport, as well as service dogs and horses, if such are necessary in order to:

- 1) repel an attack on persons, police officers, other workers of institutions of the Ministry of the Interior, and persons who are performing their duties of service in guaranteeing public safety and in the fight against crime;
- 2) repel an attack on buildings, premises, structures and means of transport regardless of their ownership, or free facilities occupied by armed persons;
- 3) free hostages;
- 4) prevent mass disorder and group violations of public order;
- 5) arrest and convey persons violating the law to a police institution or other service premises, as well as restrain arrested, detained and convicted persons during conveyance and incarceration if such persons do not submit to or resist police officers, or if there is reason to believe that such persons may escape or do harm to other persons nearby or themselves; and
- 6) stop intentionally wrongful resistance to lawful requests made by police officers or other persons performing service duties in guaranteeing public order or in the fight against crime.

The type of special means and the intensity of use of physical force or special means shall be determined by taking into account the specific situation, the nature of the violation and individual characteristics of the violator, restricting as much as possible the harm done by such means. If there are victims as a result of the use of physical force or special means, a police officer is obliged to provide medical assistance to the victims without delay and to report on the incident to his or her immediate supervisor who shall notify the prosecutor regarding such. A police officer shall report in writing to the immediate supervisor regarding all instances of the use of special means.

It is prohibited to use special fighting techniques, handcuffs, batons, tear-eliciting substances and service dogs against women, against persons with obvious signs of disability and minors, except in cases when they make a group attack, endanger the lives or health of other persons and police officers, or show armed resistance.

The types of special means permitted to the police pursuant to this Law, and the procedures for storing, carrying and use of such shall be determined by the Minister for the Interior of the Republic of Latvia, after co-ordination with the Ministry of Health of the Republic of Latvia.

[20 March 1997; 15 June 2000; 29 May 2003]

Section 14. The Right of Police Officers to Use Firearms

Shooting on purpose shall be deemed to be use of a firearm.

A police officer has the right on a continuing basis to keep and carry a firearm issued to him or her for use in the line of duty. The regulations and procedures with respect to keeping and carrying a firearm issued to a police officer shall be determined by the Minister for the Interior of the Republic of Latvia.

A police officer is entitled to use a firearm in an absolute emergency in order to:

- 1) defend other persons and himself or herself from attack that actually endangers life or may do harm to health, or to avert an attempt to obtain a firearm by force;
- 2) free hostages;
- 3) repel a group or armed attack on police officers or other persons who are performing the duties of the service in guaranteeing public safety and fighting crime;
- 4) repel a group or armed attack on facilities, premises, structures, institutions, undertakings and organisations that are to be guarded;
- 5) arrest a person who is showing armed resistance or who is surprised in the act of committing a serious or an especially serious crime or has escaped from detention, or arrest an armed person who refuses to comply with a lawful request to hand over a weapon or explosives;
- 6) stop a means of transport, damaging it, if its driver through his or her actions is creating actual danger to the life or health of persons and does not submit to the request of a police officer to stop the means of transport and if there is no other way to arrest the driver; or
- 7) render harmless an animal that endangers the life or health of a person.

A police officer also has the right to use a firearm to give a warning signal or to summon help.

Before using a firearm a warning of intent to do so must be given. If necessary, a warning shot may also be fired.

A firearm may be used without warning if:

an attack is sudden or weapons, military equipment, or any type of mechanical means of transport is used in the attack;

such is necessary to free hostages;

an escape from detention is in progress with the use of a weapon or a means of transport, or detainees are escaping from a means of transport while in motion.

It is prohibited to use and make use of firearms at locations where as a result of such use other persons may be injured; also, it is prohibited to use firearms against women and minors except in cases when they are executing an armed attack, show armed resistance, or by means of a group attack endanger the lives of other persons or police officers.

A police officer has the right to take out a firearm and prepare it for shooting if the officer believes that in the specific situation its use or utilisation is not ruled out. If the arrested person on purpose makes sudden movements or other dangerous actions which the police officer may interpret as attempted violence, attempts to approach the police officer closer than the distance indicated by the officer, the police officer has the right to use a firearm in conformity with this Law.

In all cases of use and utilisation of firearms the police officer must do all in his or her power in order to guarantee the safety of others and to provide the necessary medical assistance. For each incident of firearm use, the responsible official at the police institution shall without delay notify the prosecutor

[15 June 2000]

Chapter IV

Organisational Structure of the Police, Competence of Police Institutions, and Division of Responsibilities

Section 15. Organisational Structure of the Police and Jurisdiction

The police comprise the State Police, the Security Police and local government police.

The State Police and the Security Police each within its competence shall perform their duties throughout the whole territory of the Republic of Latvia; the local government police – within the relevant administrative territory.

The State Police and the Security Police are institutions under the supervision of the Minister for the Interior.

A component of the police are also the commanding officer personnel and other ranks of the Latvian Police Academy, which acts in accordance with the Constitution and the regulations of the Academy which are specified for Ministry of the Interior system employees with special service ranks.

The local government police are incorporated in the relevant local government, but with respect to questions of the organisation of work, co-operate with the State Police

[8 June 1994; 20 March 1997; 23 October 1997; 13 May 1999; 15 June 2000; 14 April 2005]

Section 16. The State Police

The State Police comprise the central headquarters and organisational units subordinate to it.

The State Police shall have its own flag. The State Police organisational units may have their own flags.

[20 March 1997; 13 May 1999]

Section 17. The Civil Police

The Civil Police comprises the State Police Central Civil Police administration, the Traffic Police and the association *Apsardzes* services subject to its control, the territorial and transport institution civil police subordinate units, as well as the police precincts, and their function is to guarantee public order, combat crime and to guard specific objects.

[20 March 1997; 6 December 2001]

Section 18. The Criminal Police

The Criminal Police comprise the State Police Central Criminal Police administration, and the territorial and other police institution criminal police.

The functions of the Criminal Police include the prevention and disclosure of criminal offences; search for persons who are hiding from inquiry, investigation and the court, are evading the serving of a sentence or are missing; as well as ensuring the participation of criminalistic experts in investigatory activities.

The Criminal Police shall perform its duties in co-operation with the Civil Police and local government police; the Criminal Police is entitled to acquaint itself with all the materials located in the institutions of the Civil Police and local government police, and to take over from the Civil Police the handling of any case regarding criminal offences and persons who have committed such. If the disclosure of a crime is being organised and measures are being carried out to arrest such persons as have committed crimes, police officers of the Civil Police and local government police are obliged to follow the instructions of officials of the Criminal Police.

[20 March 1997; 15 June 2000.] [20 March 1997; 15 June 2000]

Section 19. Local Government Police

Local governments may form local government police.

The duties of local government police include:

- 1) prevention of violations of the law;
- 2) provision of social rehabilitation assistance to persons who have been released from institutions of deprivation or of restriction of liberty, or who are under treatment for alcohol, narcotic, psychotropic or toxic substances addiction;
- 3) guarding and conveyance of persons arrested and under administrative arrest for administrative violations;
- 4) control of how regulations approved by the local government are being observed, for the violation of which administrative sanctions are prescribed, as well as the imposing and collection of fines regarding such violations; and
- 5) support of the State Police and Security Police in the guaranteeing of public safety and the fighting of crime.

If a local government does not form its own police, the measures referred to in Clauses 1-4 of this Section shall be performed by the State Police.

If information is received concerning a violation of the law being prepared or carried out and the examination of which is within the competence of the State Police, the local government police shall carry out the necessary measures to prevent such, to arrest the violator, to guard the site of the incident and to inform the relevant State Police institution (official) without delay, as well as to hand over the person doing the violation of the law and relevant documents regarding the violator. The instructions of the State Police official shall be binding on officers of the local government police regarding such issues.

The number of local government police officers shall be determined by the relevant local government. The local government police may comprise its chief, his or her deputies, senior inspectors, inspectors and junior inspectors, as well as senior civil officers, civil officers and junior civil officers. Local government police officers shall perform their duties in uniforms of a common type approved by the Minister for the Interior.

The local government police in the performance of the duties within its competence has all the rights referred to in Clauses 1-6, 8-12, 15, 17, 20, 21, 24 and 26-28 of Section 12 of this Law, as well as the right to use physical force, handcuffs, tear-eliciting substances, batons, means of tying, service dogs and horses in accordance with the same procedures as prescribed for police officers of the State Police.

Local government police officers have the right, in accordance with procedures prescribed by the Minister for the Interior of the Republic of Latvia, to receive, keep and carry firearms, and to use them in accordance with procedures specified and in the cases provided for in Section 14 of this Law.

The model regulations for local government police shall be approved by the Minister for the Interior.

[1 September 1992; 8 June 1994; 13 May 1999; 27 May 2004]

Section 20. Competence of the State Police Central Headquarters and Subordinate Units Subject to It

The State Police central headquarters shall:

- 1) determine the organisation of police work and priority directions for operations;
- 2) improve the legal regulations governing police work;

- 3) manage the work of the State Police, co-ordinate police work with other State authorities and administrative bodies, represent and defend the professional interests of police officers in institutions of State authority and administration of the Republic of Latvia;
- 4) implement a unified organisational, personnel and scientific–technical policy in the sphere of operations of the State Police, staff the administrative personnel of the police, keep records of State Police personnel, and organise the training and raising of qualifications of police officers;
- 5) co-ordinate and control the operations of the Civil Police and the Criminal Police; and provide the necessary assistance to police institutions;
- 6) formulate programmes for combating crime and for guaranteeing public safety;
- 7) manage the utilisation of the police force and resources in State and regional public events;
- 8) [15 June 2000]
- 9) form State information banks and investigatory and criminalistic records;
- 10) determine unified regulations for record keeping, and procedures for the supply of materials and technical facilities;
- 11) co-operate with the police (militia) of other States and with international organisations in the fight against crime and issues regarding the guaranteeing of public safety; and
- 12) participate in the formulation and co-ordination of traffic safety standards.

The administration and divisions of the Civil Police and the Criminal Police shall:

- 1) manage police work in relevant Republic cities, districts, and rail, air and water transport activity zones; co-ordinate the activities of police service and precincts in the prevention and disclosure of criminal offences, as well as in guaranteeing public safety;
- 2) manage the disclosure and prevention of criminal offences, and searches for criminals and missing persons;
- 3) within their zone of operations , co-ordinate the work of the Civil Police, the Criminal Police and local government police, and the co-operation of the police with local governments, undertakings, institutions, organisations and the public; and
- 4) select candidates for training in educational institutions of the Ministry of the Interior of the Republic of Latvia.

A police precinct is the basic organisational unit of the State Police system of the Republic of Latvia, the police officers of which shall perform all the duties referred to in Sections 9, 10 and 11 of this Law, except those that are directly within the competence of the State Police central headquarters, administration and divisions.

Instructions regarding the separation of police authority within the State Police shall be issued by the Chief of the State Police.

For short-term custody of arrested, imprisoned and detained persons, and the implementation of administrative arrest, the State Police and the Security Police shall establish short-term arrest cells.

[20 March 1997; 15 June 2000; 20 June 2002; 14 April 2005]

Section 21. Procedures for Appointment to and Removal from Office of Police Officers

The Chief of the State Police and the Security Police shall be appointed to and removed from office by the Cabinet of the Republic of Latvia pursuant to the recommendation of the Minister for the Interior from among senior commanding personnel in the police, with higher legal education and not less than five years police service in management positions.

State Police officers and Security Police officers shall be appointed to office and removed from office by procedures prescribed in regulatory enactments.

The chief and deputy chiefs of local government police shall be appointed to office by the relevant city council, district council or parish council only after consent from the Minister for the Interior has been received for the approval of the relevant candidate. The chief or deputy chiefs of local government police shall be removed from office by the relevant city council, district council or parish council on their own initiative or pursuant to an order of the Minister for the Interior, which the council must examine within seven days.

The Minister for the Interior has the right, up to the day that a council removes from office the local government police chief or the deputy chief, to suspend the referred to officials from performing their duties of office.

Before local government police are appointed to office, their eligibility for the office to be held shall be verified in accordance with procedures prescribed by the Minister for the Interior; such persons must complete the professional training course and must pass the relevant examinations.

[8 June 1994; 20 March 1997; 15 June 2000]

Chapter V

Legal Protection, Work Guarantees and Liability of Police Officers

Section 22. Legal Protection of Police Officers

A police officer is a representative of State authority and the lawful requests and orders that he or she has issued or made in fulfilment of service duties must be obeyed by all persons. Non-compliance with the lawful requests of a police officer is punishable. A police officer is under the protection of the State; the honour and dignity of a police officer is protected by the State. Infringement of the honour of a police officer, resisting a police officer, endangering the life or health of a police officer, as well as actions that interfere with the performance of the duties of office shall be punished in accordance with procedures prescribed by the laws of the Republic of Latvia.

A police officer shall not be liable for economic and physical harm done, within the scope of authority of the service, to a person violating the law who does not submit or resists at the moment of arrest.

The requests of a police officer are compulsory and actions are binding on all persons until the official who is authorised to control or supervise the operations of the officer suspends or revokes such operations.

Section 23. Guarantees with respect to the Operations of Police Officers

A police officer in performing his or her duties is subordinate to his or her immediate supervisor and to more senior supervisors. If a police officer has received a command or order of a supervisor that is contrary to law, the officer shall observe the requirements of the law.

A police officer shall not be bound by orders and decisions of parties and other socio-political organisations and movements or their representatives.

Interference with the operations of the police by parties and other socio-political organisations and movements or their representatives is prohibited.

An action of a police officer in a justified professional risk situation shall not be considered a violation of the law, even if in such action there are elements of an offence which is subject to disciplinary, administrative, financial or criminal liability. A professional risk shall be considered justified if the police officer has acted in accordance with information available to him or her regarding the facts and circumstances and a lawful objective was not achievable without operations involving risk, and if the officer in assuming the risk has done everything possible to prevent potential harm.

The police officer union does not have the right to declare strikes. A police officer has the right to appeal to a court the decisions regarding him or her taken by officials of the police and the Ministry of the Interior institutions if the officer believes that such decisions unjustifiably restrict his or her rights or authority or injure his or her dignity. To satisfy their needs for culture and sport, police officers may form societies and clubs the activities of which are regulated by articles of association adopted and registered in accordance with procedures prescribed by law.

[19 December 2002]

Losses caused to the property of a police officer or his or her close relative in the fulfilment of service duties of the police officer shall be recompensed in full from budget funds.

If a State Police officer or a Security Police officer in performing his or her duties has acquired an injury or mutilation or in association with the performance of service duties other harm has been done to his or her health, in addition the compensations and allowances specified by law for him or her a one-time allowance shall be paid according to the procedures and in the amount specified by the Cabinet.

If a police officer in the fulfilment of service duties is killed, his or her forced heirs shall be paid a one-time allowance to the amount of 50 000 lats.

A police officer who is a specialised State civil service civil servant, in the case of the birth of a child shall receive a one-time allowance to the amount of six base salaries. If both parents are civil servants, the right to receive the allowance is for one of them.

A police officer who is a specialised State civil service civil servant, in proceeding on annual leave shall receive a leave allowance in the amount of one base salary.

[20 March 1997; 4 October 2001; 20 June 2002; 19 December 2002; 16 December 2004; 14 April 2005]

Section 24. Provision of a Flat and Telephone for Police Officers

The State Police and Security Police have a right to buy residential houses or separate flats, as well to build residential houses for the needs of police officers of the State Police and Security Police.

Local governments on the basis of a request from State Police or Security Police institutions may ensure for police officers of the State Police and Security Police who have been transferred for the needs of the service to another populated area with a dwelling space near the place of service.

The procedures by which police officers of the State Police and Security Police who have been transferred for the needs of the service to another populated area are granted compensation for the rent of dwelling space and utility services, as well as the amount of compensation shall be determined by the Minister for the Interior.

[8 June 1994; 20 March 1997; 23 October 1997; 13 May 1999; 24 October 2002]

Section 25. Granting of Other Guarantees to Police Officers

A police officer has the right to receive reimbursement for expenditures incurred by him or her in using public transport that is provided for ensuring the performance of service duties.

A police officer has the right to enrol his or her children on a priority basis in State and local government pre-school children's institutions within a six month period from the day of submission of a petition.

A local government may determine other preferences and guarantees for police officers.

A police officer who is being sent or who is on an official travel has the right to obtain, on a priority basis upon presentation of an official travel and service identification documents, travel documents for any type of means of transport and to obtain hotel accommodations.

A police officer who uses a personal means of transport for service requirements shall have the exploitation expenditures for it reimbursed from budget resources.

A police officer retired from service in connection with having a disability or occupational disease shall retain the preferences and guarantees prescribed by this Law.

[27 October 1994; 24 January 2002]

Section 26. Working Hours and Remuneration for Police Officers

A 40-hour workweek is prescribed for police officers. If necessary, a police officer, pursuant to instructions from the chief of the police institution, may be involved in work above the prescribed working hour norms.

For service in the police a police officer shall receive remuneration that includes a base salary, supplements for special office (service) rank, supplements for length of service, and other supplements, the types and amounts of which, in conformity to the service, shall be prescribed by the Cabinet.

A police officer who has worked in such service less than 10 years shall receive an annual paid vacation of four calendar weeks, after 10 years of service – five, after 20 years of service – six, and after 25 years of service – seven calendar weeks.

A pension shall be granted to police officers in accordance with the Law on Service Pensions for Employees of the Ministry for the Interior System with Special Service Ranks. With respect to police staff who do not have a special service rank, the Law on State Pensions shall apply.

Police officers during the time of service are partially State supported. The conditions and norms of support shall be regulated by the Cabinet.

[8 June 1994; 24 November 1994; 5 December 1996; 15 June 2000]

Section 27. Liability of Police Officers

A police officer shall be liable for an illegal action in accordance with the procedures specified in regulatory enactments.

A police officer shall not perform or support any activity related to torture or other cruel, inhuman or demeaning treatment or punishment. No police officer may refer to an order from a superior or such exceptional circumstances as a state of war or threat of war, threat to national security, internal political instability of the State or emergency circumstances, in order to justify torture or other cruel, inhuman or demeaning treatment or punishment.

Knowingly carrying out an illegal command or order shall not relieve a police officer from liability.

A police officer shall serve a criminal sentence in accordance with general provisions, but segregated from other convicts.

A police officer shall be held administratively liable for administrative violations in accordance with procedures prescribed by law.

A person according to the procedures specified in regulatory enactments regulating administrative procedure may dispute an administrative act issued by a police officer and his or her actual actions.

[4 October 2001; 14 April 2005]

Chapter VI

Service in the State Police

Section 28. Police Personnel

The police service shall employ citizens of the Republic of Latvia not younger than 18 years of age and not older than 35 years of age who, taking into consideration their personal characteristics, education, the state of their physical condition and health, are able to and wish of their own volition to perform the duties assigned to the police. The police service shall not employ persons who have previously been sentenced for intentional criminal offences. A police officer must be able to speak the Official language and in fulfilling service duties must be able to communicate with persons in the language used predominantly in the relevant region or the work precinct.

The police service shall not employ a person who is or has been a permanent or temporary staff employee of the security service (intelligence or counter-intelligence service) of the USSR, Latvian S.S.R. or some foreign state; an agent, a resident or keeper of safe house (under any form of cover organisation) As exceptions, such persons may be hired by the police service on the basis of an employment contract and for a specified time period, if so required by necessity, to carry out specific tasks utilising the professional knowledge of such persons.

The duty of a police officer is to unflinchingly fulfil the requirements of the law, to observe the norms of professional ethics, to respect and protect the dignity of persons, to support and protect the human rights of all persons, to be considerate of people and be ready to provide assistance to them at any time, to act deliberately and purposefully to the limit of one's abilities but, if necessary, also risk one's life in the line of duty. Failure to fulfil these requirements is not be compatible with service in the police.

All police officers shall be subject to certification in conformity with the office held and for the special service rank.

A police officer is prohibited from organising strikes and participating in them.

Restrictions and obligations of police officers with respect to entrepreneurial activity, earning of income, combination of offices, performance of work, as well as other related restrictions and duties shall be determined by the Law On Prevention of Conflict of Interest in Activities of Public Officials.

[23 May 1996; 5 December 1996; 13 May 1999; 29 May 2003]

Section 29. Oath of Police Officers

Upon assuming office, police officers shall give the following oath:

"I,, upon joining the police service, swear to be loyal to the Republic of Latvia and to fulfil its laws honourably; and promise to act to the limit of my abilities and, if necessary, also risk my life for the benefit of the Republic of Latvia."

Section 30. Assistants to Police Officers

Assistants to police officers may be permanent residents of the Republic of Latvia from 20 to 65 years of age, who, taking into account their personal characteristics, are able of their own volition to assist police officers.

Regulations with respect to the work organisation and performance of duties by assistants to police officers, and the rights and duties of such assistants shall be determined by the Cabinet of the Republic of Latvia

[20 March 1997]

Section 31. Employment and Removal of Police Officers from the Service. Procedures and Regulations of Performance of Service

Usually the police service employs persons who have completed educational institutions of the Ministry of the Interior or the Latvian Police Academy.

Persons who have been employed for service in the State Police and have not obtained basic professional preparation shall not be allowed to perform service duties, but are required to be sent for training in educational institutions of the Ministry of the Interior where they are to receive the necessary legal and professional preparation for service.

The elementary training, re-training and raising of qualifications of police officers may also be done on a contractual basis in police educational institutions of other states.

The procedures for the performance of police service, also the designations of special service ranks and procedures for awarding and removal of such shall be determined by the Cabinet.

Police officers usually may serve in the police service until reaching the age of 50. On the basis of the wishes of the police officer and with the written consent of his or her direct superior officer, the period of service in the police may be extended:

- 1) for chiefs of institutions and their deputies – by a decision of the Minister for the Interior; and
- 2) for other police officers – the relevant orders of the Chief of the State Police or the Chief of the Security Police on the basis of a decision by the relevant institution attestation commission.

An officer shall be discharged from service in connection with:

- 1) his or her own free will;
- 2) reaching the end of the service period;
- 3) reaching the age prescribed by law;
- 4) health condition – based on an opinion of unfit for service by the Central Medical Expert-Examination Commission of the Ministry of the Interior ;
- 5) a reduction in the number of officers;
- 6) election or appointment to an office in another State or local government institution;
- 7) unsuitability for service based on the results of certification;
- 8) disciplinary violations;
- 9) coming into effect of a court judgment regarding the commission of a criminal offence; or
- 10) the death of the officer.

[14 April 2005]

The State Civil Service Law shall determine the procedures for the transfer of police officers.

[5 December 1996; 20 March 1997; 23 October 1997; 4 November 1999; 15 June 2000; 29 May 2003; 14 April 2005]

Section 32. The Uniform of Police Officers

Police officers shall be issued a uniform of unified design free of charge. The Cabinet shall approve a description of the uniform and identifying insignia.

Police officers, for certifying of their authority, shall be issued a service identification card, but officers of the Criminal Police – also a special badge. The surname and personal number shall be attached to the uniform of a police officer in a visible location, but to the uniform of a local government police officer – also the identifying insignia and the name of the relevant territory

[5 December, 1996]

Section 33. Inducements and Liability of Police Officers

For exemplary performance of service duties, a police officer shall be eligible for the following awards and types of service commendations:

- expression of appreciation;
- awarding of a valuable prize or monetary bonus;
- awarding of a paid supplementary leave of up to 10 days;
- awarding of a certificate of honour; or
- removal prior to term of a previously applied disciplinary sanction.

Other expressions of appreciation may also be granted to a police officer for exemplary performance of duties.

For a display of heroism and courage and for other distinguished achievements during the performance of service duty a police officer may be nominated for conferral of a State award of the Republic of Latvia.

For failure to observe the laws, intentionally wrongful use of authority or service status, exceeding the authority of the service, failure to perform the duties assigned or inadequate performance of such duties a police officer shall be held to disciplinary, administrative, financial or criminal liability. Holding a police officer to disciplinary liability shall not release the officer from possible administrative, financial or criminal liability. A police officer shall be subject to the following disciplinary sanctions:

- a notice;
- a reprimand;
- lowering the special service rank by one rank;
- a warning about unsuitability for the position held;
- demotion in position; or
- discharge from service because of unsuitability for police service.

The procedures for conferring an award, expressing a service commendation and applying a disciplinary sanction shall be determined by the disciplinary regulations of institutions of the Ministry of the Interior, which shall be approved by the Cabinet

[5 December 1996]

Chapter VII

Financing Of Police Activities and Supply of Material and Technical Facilities

Section 34. Financing of the State Police

The financial resources of the State Police shall be formed from:

- 1) grants from general revenue of the State budget;
- 2) own income obtained from entering into contracts with legal persons and natural persons.

[8 June 1994; 2 November 1995; 5 December 1996; 14 April 2005]

Section 35. Supply of Materials and Technical Facilities for the State Police and Security Police

The norms on the basis of which the State Police and the Security Police shall be ensured with technical facilities, means of communication, armaments, special equipment, uniforms, computer equipment and software programs, means of transport and the necessary funds for the exploitation thereof shall be determined by the Cabinet of the Republic of Latvia.

[8 June 1994; 20 March 1997; 23 October 1997; 14 April 2005]

Section 36. Provision of Service Premises for the State Police

The State Police institutions and subordinate units located in rail, air and water transport, State institutions and undertakings shall be provided with premises by the relevant State institution or undertaking. In such case, the expenditures for the exploitation of the police service buildings shall be covered by the relevant State institution or undertaking

[8 June 1994]

Section 37. Financing and Supply of Material and Technical Facilities of Local Government Police

Local police institutions and subordinate units shall be financed from local government resources, but their supply of material and technical facilities shall be provided by local government institutions and the Ministry of the Interior of the Republic of Latvia from local government resources.

Chapter VIII

Control and Supervision of Police Activities

Section 38. Control of Police Operations

The operations of the police shall be under the control of the Cabinet, the Minister for the Interior and local government institutions, within the scope of their competence.

[5 December 1996]

Section 39. Supervision Regarding Observance of the Law in Police Operations

Supervision regarding observance of the law in police operations shall be carried out by the Prosecutor General of the Republic of Latvia and prosecutors subordinate to him or her.

Transitional Provision

[20 June 2002]

Section 23, Paragraph eleven of this Law shall come into force on 1 January 2006.

[8 June 1994; 24 November 1994; 2 November 1995; 5 December 1996; 23 October 1997; 13 May 1999; 15 June 2000; 20 June 2002; 16 December 2004]

Chairperson of the Supreme Council of the Republic of Latvia

A. Gorbunovs

Secretary of the Supreme Council of the Republic of Latvia

I. Daudišs

Rīga, 4 June 1991

Transitional Provisions Regarding Amendments to the Law On Police

Transitional Provision

(regarding amending law of 20 June 2002)

Section 4 of this Law shall come into force simultaneously with the law regarding the Prisons Administration.

Transitional Provision

(regarding amending law of 29 May 2003)

With the coming into force of this Law, Cabinet Regulation No. 572, Amendments to the Law On Police (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2003, No. 6) issued in accordance with Article 81 of the Constitution of the Republic of Latvia is repealed.

Transitional Provision

(regarding amending law of 14 April 2005)

Section 5 of this Law shall come into f