



## Confidential report on Sammy Baker shot dead: "Cops themselves created unsafe situation"

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The police themselves created an unsafe situation when approaching Sammy Baker. So states police sociologist Jaap Timmer in a confidential expert investigation, owned by AT5. The 23-year-old German was shot dead in a confused state by two police officers, but the reason for the situation escalating so much is partly due to the officers at the scene, according to Timmer.



The court ordered an independent investigation to be conducted as part of a civil suit brought by the relatives against the police. In August 2021, the parties agreed that police sociologist Jaap Timmer should investigate the case. In a response to AT5, the sociologist points out that the report is not yet final. Both the police and Baker's family are still allowed to respond and ask questions. "About the content I cannot say

anything at all, this document should not be public and is far from public. It damages the case."

## Obvious details

Timmer himself, however, draws obvious conclusions in his report. The document sent to the court on Jan. 13, 2023, **describes in detail how the afternoon went and how the police unnecessarily escalated the situation. For example, a dog handler pulled his own plan and the person in charge of the operation may not have had a good overview and lacked clear instructions.**

Sammy Baker, his official name is Samuel Seewald, had come to Amsterdam with a friend from Germany to stay for a few days. On Wednesday night they visited a coffee shop, where Sammy smoked four joints and consumed a space cake with his friends, according to the Public Prosecutor's Office (OM). When he does not want to go with his friend to the hotel that night and does not arrive there, his friend reports him missing.

The police decide to disseminate his photo and proceed with an "urgent missing persons case. So reads Timmer's report. A night passes, but Thursday, August 13, Sammy is seen on Poeldijk Street around 4:43 pm. He is walking there with his mother and a friend. When one of the officers then tries to approach him walking, Sammy runs away barefoot, pursued by several officers.



## Samuel needed care

The chase ends in a fenced-in courtyard on Honselersdijk Street, about a three-minute walk from Poeldijk Street. With his mother a few hundred meters away, he walks around with a knife at his throat and wrists. According to Timmer, as of now the police officers had one task: "For his own safety, it was important that he received care. (...) From the report of urgent missing and certainly from the recognition of

Samuel, it was the job of the police to safely transfer Samuel to appropriately skilled caregivers."

To bring the situation under control, multiple police units are called to the scene. Once the Police Officer on Duty (OvD-P) was also notified, she too arrived on scene and took charge of coordination.



**"The OvD-P communicated multiple times with the other officers that they should continue to see and treat Samuel as a victim and not as a suspect,"**

JAAP TIMMER, POLICE OPERATOR

"The OvD-P communicated multiple times with the other officers that they should continue to see and treat Samuel as a victim and not as a suspect," Timmer said. According to a statement from the OvD-P, the intention was to keep Samuel and the officers safe in the courtyard until the arrival of negotiators. They would be able to calm Sammy down and convince him to get help.

Samuel walks around the courtyard garden with a knife to his own neck. Several officers ask him in English, German and Dutch to let go of his knife. But they don't. "We are here to help you," one officer can be heard shouting on video footage.

"I read in the statement of one of the witnesses that Samuel would have asked for a doctor at that time. I also read that in the text rendering of the video From Ruben Koops on Twitter. According to the text views of the witness, an officer would have said 'nein' (no) to that. If that was indeed the reaction of one of the officers, then it is understandable from the situation. After all, at that moment Samuel was slowly walking toward officers with a knife to his own neck, who in response walked backwards with guns drawn. That is not an appropriate situation to bring a doctor to Samuel," Timmer concluded.

### **Dog handler draws own plan**

To protect the officers from Sammy and his knife, a dog handler is deployed at 4:58 p.m. "Normally we talk through a plan of action regarding the deployment and use of the dog. I indicated to the handler that it was a victim and not a suspect. Because he was in possession of a knife. To this he said he was going to get his dog out of the car and take position. I interpreted that he would do so for the protection of colleagues. I agreed to this," the OvD-P recounted in an interview with the State Police.

But when the man walked into the courtyard, he seemed to have forgotten his supervisor's instructions. "There was some coordination between the officers in the courtyard about the use of force. The moment the dog handler appeared on the scene, instructions were given to him about approaching Samuel with the dog."



**"The dog handler then maneuvered behind Samuel. He then approached the man from behind and 'set' the dog on him."**

JAAP TIMMER

"The dog handler then maneuvered behind Samuel. He then approached the man from behind and 'set' the dog on him. That means the handler gave his dog the command to bite Samuel in order to take him safely under control," Timmer said in his report.

### **Sammy's death**

He continued: "Because Samuel stood more or less still at that moment and made no sound or gestures, the dog did not see the man as 'his' suspect. The officers who were standing in front of Samuel at that moment called out to him to drop his knife. The dog saw them more as suspects and therefore walked past the German toward them. The handler seized his opportunity at that moment, grabbed Samuel by his neck and brought him to the ground. Once on the ground, the man started struggling, screaming and waving the knife around. At that moment the dog saw him as a suspect and bit him, but let go a short time later.

During the struggle two policemen decide to shoot, the German does not survive.

### **Criticism**

**Jaap Timmer raises critical questions in his report on the situation:** "Why did the police personnel at the scene not withdraw further from Samuel to restore calm to him and to the situation in anticipation and preparation for the arrival of the negotiators? Notwithstanding the intent of the OvD-P, the intent of the police personnel at the scene appears to have been to quickly overpower and apprehend Samuel anyway."

"With police personnel more at a distance, it probably would have been possible to allow Samuel to calm down and to consolidate that situation while waiting for negotiators and the Arrest Team. Such an operation would have required more directive and clearer leadership. It is questionable why the Police Service Officer did not choose to do so."

There is also criticism of the leadership of the operation: **"If the OvD-P had actually wanted to lead, she should have given explicitly named orders and mandates, including tolerance limits and violence instructions and the like. This incident lasted approximately 16 minutes from the initial recognition of Samuel by officers at the scene to the fatal shooting.** In the messaging, it is not possible to determine exactly at what time she was at the scene and was able to get a good idea of the situation and the police personnel present.

According to Timmer, it is understandable that two officers dealing with a confused person injuring himself with a knife do not have an overview of the entire situation. On the other hand, Timmer says it is unfortunate that, despite the quick presence of more and also experienced police officers, that overview was not created. "After all,

the situation was fairly unique. Samuel had no way to go. The courtyard on the side where he was standing was closed with a fence. On the other side was dense shrubbery. Otherwise, with the personnel and equipment present, the courtyard could have been well closed off," Timmer said.

## **Remarkable statements Frank Paauw**

Sammy's death is causing a flood of reactions. For example, police chief Frank Paauw claimed in *Het Parool* two days after the incident that one of his officers had been "stabbed in his vest by the suspect with a knife. Samuel's parents were outraged by that statement and filed a complaint.

The National Police Complaints Commission agrees with them and gives the Amsterdam police chief a hefty slap on the wrist. According to the committee, Paauw acted "insufficiently carefully" with his statements about the incident. In a reaction Paauw says he was 'too adamant'.

## **Officers are not prosecuted**

Astonishment also arises over the fact that the Public Prosecutor's Office (OM) will not prosecute the officers - responsible for the fatal bullets. According to the prosecution, the officers acted in self-defense: "Earlier, the confused but also very fit man, who was possibly in a drug psychosis, did not respond to anything. Not to repeated calls, not to pepper spray and not to the displayed firearms. Nevertheless, he continued to run into the officers with the knife."

In protest, a few 100 people march through Amsterdam and the mayor of the German municipality of Wetzlar, where Sammy is from, asks Mayor Halsema for clarification.

Meanwhile, a civil suit by the relatives is pending against the police. The family is being assisted by attorney Richard Korver. He is already critical of the officers' actions in May 2021: "The police officers themselves choose to create that situation, don't they?" he says. "They corner him themselves. There are all kinds of other ways, aren't there? That mother was two or three hundred meters away. Why wasn't she called in? That boy had nowhere to go. He was standing in a fenced-in area."

During the civil trial, the court decided to commission independent investigations in addition to the National Criminal Investigation Department's investigation. Thus Jaap Timmer was appointed to conduct an expert investigation and a psychiatrist was also asked to examine the case.



Parents of Sammy Baker

Justine and Kai Baker, Samuel's parents are shocked: **"It is bizarre to read that the dog handler did not take the time to get a feel for the situation. He took action within two minutes which led to our son's death.** We are also speechless about the lack of clear communication from the OvD-P. Everyone on the spot was working out of impulse."

### **No substantive comments**

Richard Korver, lawyer of the family, also responds, "The family wishes justice to be done and will therefore not comment further substantively until the report is ready. The family does let it be known now that as far as they are concerned, the last word on this has not yet been said."

A spokesperson for the police says they will not comment on the content of the report: "This is a draft report that is part of an ongoing civil procedure. We are cooperating in all respects. It is a case that raises a lot of questions for everyone involved. It's important to learn from situations like this and see how we can do or prevent this better in the future. Like the National Crime Squad, we still have questions, additions and comments in response to the draft. We will respond substantively to media inquiries when the final report is available."

The court informs that there is no visibility yet on possible new session days. It is waiting for the experts' final reports, according to a spokesperson