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Parents of Sammy Baker not given investigation file by prosecution

Investigation into death of Sammy not provided to next of kin

On Aug. 13, 2020, Sammy Baker celebrated his birthday with some friends in Amsterdam. The German young man, 23, fell into psychosis after smoking a joint. He went missing, was still found by his family, but was shot dead by Amsterdam police shortly thereafter in a confused state. The Public Prosecutor's Office decided in 2021 not to prosecute the officers involved. A complaint against police unit leader Frank Paauw, who directly defended the officers in the media, was upheld and won by the parents.

In February 2023, a confidential report leaked out, in which an expert investigating the case concluded that the officers themselves created an unsafe situation.



<https://youtu.be/avI0BMPH1Js>

Parents do not receive investigation file from prosecution

Central to the investigation into Sammy's death was the investigation file into his death. This file contains interrogations of the officers involved, a description of the contact over the walkie-talkie, the autopsy of Sammy's body by the NFI and all the results of the State Investigation Department's investigation. The lawyer has received a copy of the file so that he can work on the case. A portion of the file has also been provided anonymously to an expert engaged by the parents.

Justine and Kai, Sammy's parents, did not receive a copy of the file themselves. "We want to be able to read the entire file ourselves," says Sammy's mother, "so we can understand for ourselves what happened." **However, the parents do not succeed in getting their hands on the file; the prosecution rejects all requests.**

OM: file contains "privacy-sensitive information"

A press spokesman for the Amsterdam Public Prosecutor's Office reveals that the file has not been provided to the parents because it contains privacy-sensitive information. Sammy's parents do not understand: "In 2021, the OM received a letter stating that the officers involved would not be prosecuted. That letter contained all the names of all the agents involved. The OM itself shared those with us. So why couldn't we receive an anonymized file?"

Prosecution: parents shared names of officers on social media

The OM also informs Control Alt Delete that the parents shared the names of the officers involved and the prosecutor on social media. Partly for this reason, the file was not provided to the parents. The prosecution adds, "It is not prohibited to reveal names of officers involved on social media." But, revealing the names of the officers involved does play a role in the assessment of whether or not to provide the file, according to the OM, "because the disclosure affects the privacy of the officers."

Control Alt Delete: parents are punished by the OM

Jair Schalkwijk of Control Alt Delete is surprised: "It seems as if the OM is punishing the parents because they disclosed the names of the agents. Yet the OM says that this is not prohibited. Moreover, article 39f of the Judicial and Criminal Records Act gives no legal basis for refusing the disclosure of the file on the grounds that the privacy of the agents has been violated."

In addition, Schalkwijk notes that it is undesirable for the government to adopt such a closed position: "Relatives will not receive the file from the government explaining why the government is not prosecuting the officers involved." According to Schalkwijk, the OM has nothing to hide, and an anonymized file can be given to the parents, especially if the OM itself has already disclosed the names to the parents.

Schalkwijk: "We call on the OM to provide the file to the parents as soon as possible."