

Sammy Baker case: police officers still not charged

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Seewald-Krieger

The Amsterdam public prosecutor's office has decided not to prosecute the police officers involved. A "slap in the face" for the family of the young man from Wetzlar.

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Wetzlar/Amsterdam. No U-turn in the case of Wetzlar fitness influencer Sammy Baker, who was shot dead in Amsterdam: the Amsterdam public prosecutor's office will not charge the

police officers who were involved in the incident four years ago - on August 13, 2020. Sammy's family reacted with incomprehension to the decision, calling it "a slap in the face."

In January, the parents of Sammy Baker filed criminal charges against four Amsterdam police officers - for manslaughter, grievous bodily harm and negligence. Six months later, it is now clear that the parents Kai Baker and Justine Seewald-Krieger are still being denied the required criminal investigation into the operation in Amsterdam-West, which ended with three fatal shots being fired at Sammy Baker.

Expert opinion of the family: Use of firearms never justified

Review: The public prosecutor's office in Amsterdam had already decided in May 2021 not to press charges against the two police officers who fired the fatal shots at Sammy. They had acted in self-defense, they claim. Sammy's parents disagree. They commissioned four expert reports from experts and had the London research group Forensic Architecture reconstruct the events exactly - using 16 videos, 3D reconstructions, drone examinations, autopsy reports and witness statements. At their own expense.

The result: the use of firearms by the civil servants was "at no point justified", Sammy was lying on the ground before he was shot, he posed no danger and the civil servants could have stepped back at any time. Dutch psychiatrist Aram von Reijssen, among others, came to the conclusion that the police could have approached the mentally disturbed Sammy more calmly in order to prevent an escalation. The expert report and reconstruction generate a great deal of media interest and the police investigation appears to be faltering. With the "new evidence", the parents press charges - three and a half years after their son's death. And fail again.

Public prosecutor: Decision made in May 2021 will not be reviewed

The public prosecutor's office is sticking to its guns: according to its ten-page reasoning, which is available to the editorial team, the police officers acted "proportionately" and correctly. According to the public prosecutor's office, the other opinions of the experts "did not require a review" of the decision they made in May 2021. "No new facts and circumstances have emerged". No criminal proceedings were initiated against the K-9 officer and another civil servant involved in the operation "due to a lack of legal and convincing evidence". "There is no suspicion, let alone legally binding and convincing evidence of culpable homicide" in the opinion of the public prosecutor's office.



On August 13, 2020, Sammy Baker was shot dead by police in a courtyard in the Nieuw-West district of Amsterdam. © ginopress B.V./ANP/dpa

It is true that the public prosecutor's office has since conceded that Sammy did not fall to the ground with the K-9 officer, as three civil servants had claimed. However, the conclusion that these statements served the purpose of "justifying the necessity of the shot" is "not supported by valid arguments". Moreover, the fact that the K-9 officer had not fallen to the ground was "irrelevant". The fact that investigations "were one-sided and allegedly in favor of the police is 'far from the case'". The civil servants had acted "in an emergency situation". The documents submitted by the defense "did not change this". The probative value of the "Forensic Architecture" report is "questionable".



Justine Seewald-Krieger, here at the demonstration on the first anniversary of his death in Amsterdam © Justine Seewald-Krieger

Sammy Baker's relatives consider the renewed rejection of a criminal investigation to be a "slap in the face". "I was very upset by the news. I feel a mixture of dejection and anger. It cut me to the heart and you wonder how long your body will be able to cope with this fight for justice", says Sammy's mother, Justine Seewald-Krieger. The fact that the complaint was once again handled by the judicial authority in Amsterdam and not - as requested by the parents due to "questioned independence" - by another Dutch public prosecutor's office has already dampened her expectations and hopes.



Sammy's mom and grandfather, Justine Seewald-Krieger and Al Baker, at a rally at Dam Square in Amsterdam on August 12, 2023. The rally was held in collaboration with CAD ("Controle Alt Delete"), which has been investigating and statistically recording deaths caused by police violence since 2016. Justine Seewald-Krieger

According to the parents' criticism, the public prosecutor's office "did not respond at any point to the new findings of the three expert reports by top-class experts and reconstructions by the renowned research institute Forensic Architecture". "Serious mistakes" had been made in the investigation work; among many other things, there had been "no sufficient questioning of witnesses and reconstruction of Sammy's behavior, no evaluation of the cell phone". There was also a lack of ballistic examinations and no 3D visualization. "It has been confirmed that a lot of things went wrong."

Fourth anniversary of Sammy Baker's death

Sammy would have turned 27 on August 11, and August 13 marks the fourth anniversary of his death. These are difficult days for the family to get through. In order to obtain a criminal prosecution after all, they could initiate proceedings under Article 12 of Dutch law before the Amsterdam Court of Appeal. Whether they will do so remains to be seen.

At the same time, the police, parents and the family's lawyer are negotiating a civil law settlement. The aim is a public apology, internal consequences and the assumption of costs such as for expert opinions, transfer and lawyers. "And above all, we are calling for emergency services to be better trained in dealing with people in exceptional psychological situations so that something like this never happens again," says father Kai Baker.