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Data protection is taken into account in the new police law - Kugelmann: Freedom and security must be in balance

The internal committee of the Rhineland-Palatinate state parliament will discuss changes to the police and regulatory authority law today, Wednesday. Professor Dieter Kugelmann, the state commissioner for data protection and freedom of information in Rhineland-Palatinate (LfDI), commented on the data protection aspects of the draft law at the hearing. "The planned changes will modernize the country's law on police and regulatory authorities, and the police authorities will be given modern and proportionate powers," says Kugelmann. "It is evident that the legislator also has an eye on protecting the right to informational self-determination of the citizens in addition to the police requirements. In particular, the state legislature has succeeded in implementing the European data protection reform. The goal of balancing freedom and security can be achieved with the draft law. Greater transparency in police data processing will also strengthen the LfDI's control rights." Kugelmann emphasizes: "According to the draft, the powers of the police and regulatory authorities, which are required for some threat situations, will not be excessively increased. For example, there are no plans to create new options for electronic surveillance or DNA analyzes (e.g. to determine the gender, age, eye, hair and skin color of those who caused the evidence). to allow bodycams within residential to use. Municipal prison employees should still not be allowed to use bodycams. These decisions by the legislature are wise if only because the corresponding regulations in other federal states are currently being reviewed by courts in some cases." From my point of view, there are only a few areas where there is room for improvement: for example, the specifications for the police as to when data must be deleted are still too extensive. The blanket retention of long maximum storage periods is not convincing, regardless of the reason for storage. This applies in particular since the so-called "automatic pull-along" is provided for in the Police and Regulatory Authorities Act. This means that every time personal data about a person is saved, older data about that person has to be kept for a longer period of time. Deletion may then be postponed until the end of the day. This could have been taken up and improved in the novella."

The LfDI has submitted a written statement to the state parliament of Rhineland-Palatinate on the draft of the state law amending the Police and Regulatory Authorities Act (POG-E) and civil service regulations.

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