

# THE STATE COMMISSIONER FOR DATA PROTECTION AND FREEDOM OF INFORMATION

## PRESS RELEASE

July 16, 2020

Investigations into the riot night in Stuttgart:

LfDI is calmed down after the police statement

The police investigations into the alleged perpetrators, which took place on the night of April 20.

rioted in downtown Stuttgart on June 21, 2020 and physical attacks

n replacements with the police have provided for the past few days

strong criticism of the police. The focus of the discussion was the accusation that the

Zei also asks the registry offices for information about the

Nationality of the parents of the alleged perpetrators, even if they are German

be citizens. The Commissioner for Data Protection and Freedom of Information (LfDI)

Baden-Württemberg then asked questions about the investigative activities of the police,

which have now been answered by the police headquarters in Stuttgart.

In its statement, the police headquarters explained that the data

ten surveys alone for the concrete investigation of criminal offenses from the night of the riot

served. Preventive police considerations would not have played a role. The above-

testifies from the point of view of the LfDI above all because after averting the danger

ge on June 21, 2020 "preventive" integration measures of social work as well

little fall within the remit of the police as the preparation of social science

scientific studies on the motives of perpetrators - for this sociologists collect the necessary

gene data, not the police.

The Code of Criminal Procedure (§ 163 Paragraph 1 StPO) entitles the police to

to take all measures necessary for their clarification, including the

to collect the data required for this. This can also include

to clarify circumstances of juvenile and adolescent suspects, so

as far as this is necessary for criminal purposes. In this context, can

the social environment also play a role. The civil status register can do this

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The information on the collection of personal data according to Article 13 DS-GVO can be found on our homepage

(<https://www.baden-wuerttemberg.datenschutz.de/datenschutz/>).

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contain information relevant to the investigation in individual cases. Therefore, the data collection

Practice at the registry offices in justified cases by the investigative authority of the

be covered by the police. A standard nationality survey

Parents of criminal suspects, on the other hand, would not be necessary and therefore inadmissible

especially since the ultimately vague concept of "migration background" is not meaningful

has force in criminal proceedings.

Overall, the LfDI therefore sees no reason to object to the procedure

the police. However, he suggests closer coordination between the police and the public prosecutor

assist in determining the appropriate investigative measures to prevent

that in police investigations sensitive personal data of criminal

suspects and third parties are collected in the subsequent criminal court

procedures cannot or should not be used.

If you have any questions, you can reach us on the telephone number 0711/615541-23.

Further information on data protection and freedom of information can be found in the

Internet at [www.baden-wuerttemberg.datenschutz.de](http://www.baden-wuerttemberg.datenschutz.de) or at

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