

# New York can resume family DNA searches for crime suspects, court rules

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A cyclist rides past the New York Court of Appeals on May 5, 2015, in Albany, N.Y. New York's highest court on Tuesday, Oct. 24, 2023, ruled police can resume a DNA searching method that can identify relatives of potential suspects, a technique that has helped solve crimes but caused privacy concerns. Credit: AP Photo/Hans Pennink, File

New York's highest court on Tuesday ruled police can resume a DNA searching method that can identify relatives of potential suspects, a technique that has helped solve crimes but caused privacy concerns.

The method, known as familial DNA searches, allows [law enforcement agencies](#) to search information in their DNA databases to find blood relatives of people who have left [genetic material](#) at a crime scene.

The [order](#) from the New York Court of Appeals allows the state to use such searches in criminal cases, reversing a lower court ruling from last year that blocked the practice.

The case was brought by two men whose brothers were convicted of crimes and had [genetic information](#) in the state's databanks. They alleged that searches could improperly target them because of their family members' crimes and that the technique was never approved by the state Legislature.

Chief Judge Rowan D. Wilson, writing for the majority, said that the state's rulemaking process for the searches was legal and that regulations intended to protect privacy have resulted in very few [search results](#) provided to law enforcement.

Janine Kava, spokesperson for the state's criminal justice services division, said the agency was pleased that the state can resume using the technique.

"The state's familial search regulations provide [law enforcement](#) with another tool to solve violent crimes that have gone cold, eliminate individuals from suspicion, exonerate the wrongfully convicted and help provide closure when unidentified human remains are discovered," she said in a statement.

The ruling applies only to the state's DNA databank, not to databanks that are maintained by private companies for genealogy research.

Familial DNA famously led to an arrest in Los Angeles' Grim Sleeper serial killings, which spanned from 1985 to 2007. Lonnie Franklin Jr. was convicted and sentenced to death this year.

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