

Should the police be allowed to use genetic information in public databases to track down criminals?

June 8 2018, by Bob Yirka



A depiction of the double helical structure of DNA. Its four coding units (A, T, C, G) are color-coded in pink, orange, purple and yellow. Credit: NHGRI

A trio of concerned citizens from the University of Baltimore and Baylor College of Medicine has published a Policy Forum piece in the journal *Science* surrounding the issue of law enforcement using genetic information in public databases to pursue criminals. In their paper, Natalie Ram, Christi Guerrini and Amy McGuire highlight the issues involved and offer some suggestions regarding how the issue might best be handled.

The case of police arresting a man suspected of being the Golden State Killer made headlines recently, partly because of the notoriety of the case and partly because of the way the case was cracked. The police compared DNA samples taken from crime scenes with those in a [public database](#) and found a close match—someone who was related to the suspect. Further work allowed them to narrow their search down to the man who was arrested. While most people likely received the news of a serial killer's capture as good news, others were also concerned about how it happened. This led to questions about the privacy of data in public databases—such as whether the police should be allowed to use such data to search for a suspect.

The authors point out that there is no law forbidding what the police did—the genetic profiles came from people who willingly and of their own accord gave up their DNA data. But should there be? If you send a swab to Ancestry.com, for example, should the genetic profile they create be off-limits to anyone but you and them? It is doubtful that many who take such actions fully consider the ways in which their profile might be used. Most such companies routinely sell their data to pharmaceutical companies or others looking to use the data to make a profit, for example. Should they also be compelled to give up such data due to a court order? The authors suggest that if the public wants their DNA information to remain private, they need to contact their representatives and demand that legislation that lays out specific rules for data housed in public databases.

More information: Natalie Ram et al. Genealogy databases and the future of criminal investigation, *Science* (2018). [DOI: 10.1126/science.aau1083](https://doi.org/10.1126/science.aau1083)

Summary

The 24 April 2018 arrest of Joseph James DeAngelo as the alleged Golden State Killer, suspected of more than a dozen murders and 50 rapes in California, has raised serious societal questions related to personal privacy. The break in the case came when investigators compared DNA recovered from victims and crime scenes to other DNA profiles searchable in a free genealogical database called GEDmatch. This presents a different situation from the analysis of DNA of individuals arrested or convicted of certain crimes, which has been collected in the U.S. National DNA Index System (NDIS) for forensic purposes since 1989. The search of a nonforensic database for law enforcement purposes has caught public attention, with many wondering how common such searches are, whether they are legal, and what consumers can do to protect themselves and their families from prying police eyes. Investigators are already rushing to make similar searches of GEDmatch in other cases, making ethical and legal inquiry into such use urgent.

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