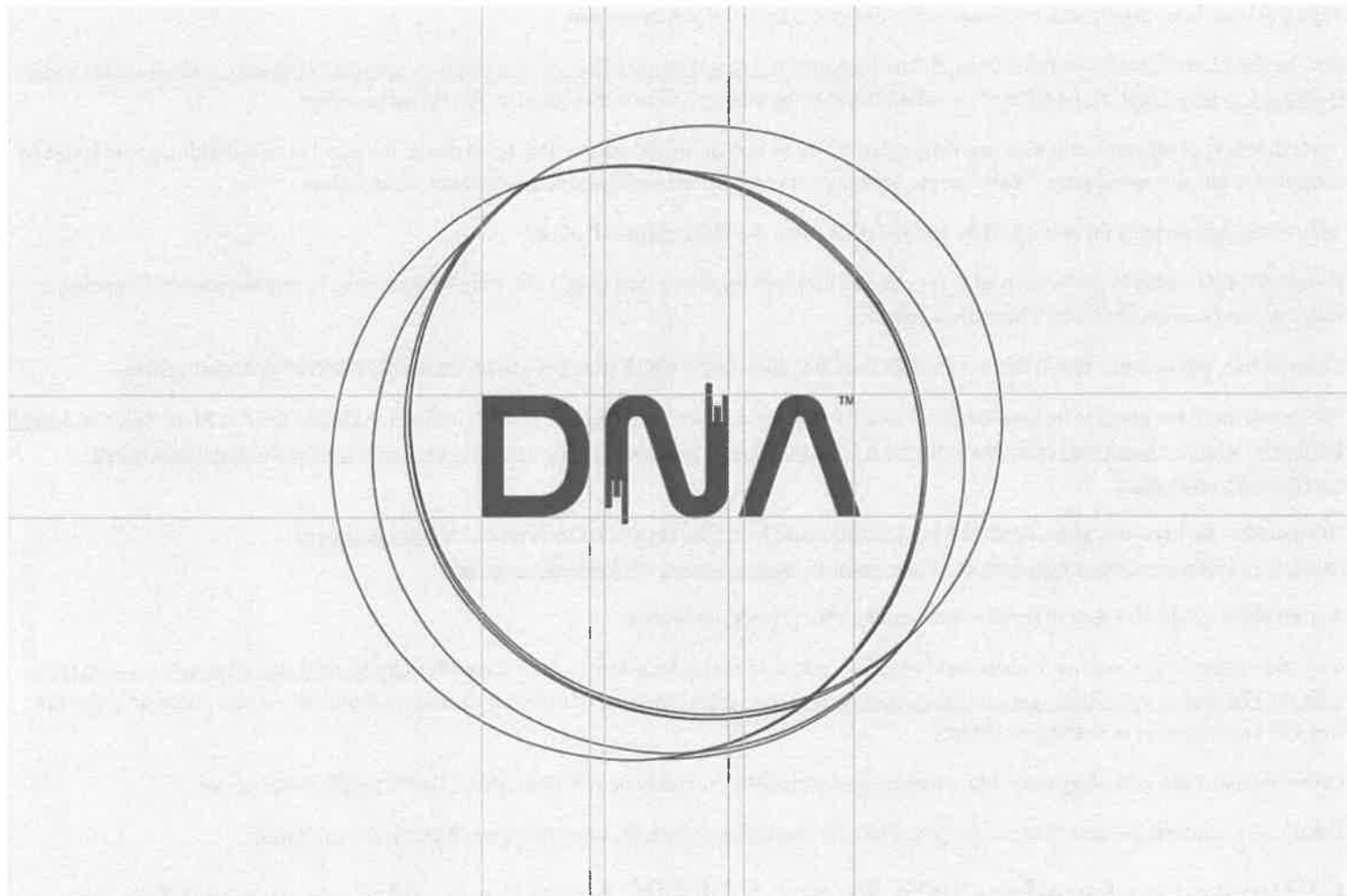


GEDmatch Puts DNA Database Off-Limits to Police: Will Cold Cases Get Colder?

By TCR Staff | May 22, 2019



DNA by infadizle via Flickr

The popular genealogy service GEDmatch became a household name when the site helped police crack the so-called Golden State Killer case in California, along with dozens of other unsolved crimes.

But fears that DNA tracing could falsely implicate innocent people—even relatives who never provided samples of their DNA—appear to have prodded the company into introducing new terms of service that required users to consent in advance to have their information available to law enforcement, *The Daily Beast* (<https://www.thedailybeast.com/gedmatch-genealogy-databases-new-terms-will-make-it-harder-for-cops-to-close-cold-cases>) reports.

The company has changed all its profiles to the “opt out” mode, meaning police have access to only those profiles whose users logged on and voluntarily selected to “opt in” and share their DNA.

GEDmatch, which keeps profiles of more than 1.2 million people, has been involved in cracking more than 50 criminal cold cases.

A Utah police unit used GEDmatch to secure the arrest of a 17-year-old high-school student who assaulted a 71-year-old woman inside a Mormon church. The crime did not involve sexual assault or murder, but GEDmatch allowed police access to its database because the elderly woman was reportedly afraid the assailant would return to kill her.

But after a [BuzzFeed investigation](https://www.buzzfeednews.com/article/peteraldhous/this-genealogy-database-helped-solve-dozens-of-crimes-but) (https://www.buzzfeednews.com/article/peteraldhous/this-genealogy-database-helped-solve-dozens-of-crimes-but) exposed how the company “bent rules” to allow the Utah police unit to probe the company’s database for this assault case, GEDmatch responded by changing its rules.

One of those changes included the default locking of users’ DNA profiles.

Until police began using commercial databases to aid their detective work, the only DNA officially available to them were records of samples provided by individuals involved with the justice system.

DNA tracing through commercial sites can involve months of painstaking work, including creating thousands of “family trees” that police hope will lead them to suspects who were otherwise invisible to the justice system

But Stanford Law School researcher Joseph Zabel [warned in a recent paper](https://thecrimereport.org/2019/05/06/the-killer-inside-us-should-your-dna-be-off-limits-to-police/) (https://thecrimereport.org/2019/05/06/the-killer-inside-us-should-your-dna-be-off-limits-to-police/) that the benefits of so-called “forensic genealogy” were outweighed by the threat to privacy.

“As technology progresses, and matches from relatives more and more distant are able to be made, the number of individuals who could be subjected to suspicion will grow,” Zabel wrote, striking a theme that evoked dystopian Sci-Fi novels and films.

“If investigators go back far enough, they will find that there is a killer inside all of us.”

Police will still be able to probe such sites for clues to murders that have long gone cold; they will just have to request a search warrant, a step that has been sought by civil liberties advocates.

Nevertheless, police argue that it throws a major hurdle in their way—which may have to be ultimately resolved in higher courts.

“Of course there are going to be legal battles,” said Paul Holes, a retired investigator who identified the alleged Golden State Killer as [Joseph DeAngelo, a former California policeman, through DNA matching.](https://www.thedailybeast.com/the-secret-suburban-life-of-james-deangelo-the-suspected-golden-state-killer) (https://www.thedailybeast.com/the-secret-suburban-life-of-james-deangelo-the-suspected-golden-state-killer)

“It would not surprise me, years down the road, if this could be a U.S. Supreme Court issue,” he [told BuzzFeed](https://www.buzzfeednews.com/article/peteraldhous/this-genealogy-database-helped-solve-dozens-of-crimes-but) (https://www.buzzfeednews.com/article/peteraldhous/this-genealogy-database-helped-solve-dozens-of-crimes-but).

A court battle could also lead to results that would alarm privacy advocates.

One other genealogy company, FamilyTreeDNA, has restricted access by police to their data after [admitting it shared genetic information with the FBI](https://www.nytimes.com/2019/02/04/business/family-tree-dna-fbi.html) (https://www.nytimes.com/2019/02/04/business/family-tree-dna-fbi.html), and limited it to cases of homicide, sexual abuse or abduction. But users are opted in to sharing by default.

Other popular DNA genealogy sites, like Ancestry and 23andMe, currently do not share their clients’ profiles with police.

But if court warrants became operational procedure for law enforcement, the sites may have little choice to comply.

GEDmatch co-founder Curtis Rogers [told ABC News](https://abcnews.go.com/US/leave-murderer-running-streets-dna-databases-policy-changing/story?id=63150489) (https://abcnews.go.com/US/leave-murderer-running-streets-dna-databases-policy-changing/story?id=63150489) that the company had received complaints about providing police with open access to its database before its policy decision Sunday. But he declined to give details.

“Ethically, it is a better option,” he said. “It’s the right thing to do.”

Additional Reading: [How Genetic Genealogy is Solving Cold Cases](https://thecrimereport.org/2018/07/17/how-genetic-genealogy-is-solving-cold-cases/) (https://thecrimereport.org/2018/07/17/how-genetic-genealogy-is-solving-cold-cases/)

This summary was prepared by TCR news intern Andrea Cipriano.

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