Private DNA Database Use by Law Enforcement Should Trigger Privacy Debate

July 20, 2018 - For several years now we've been warning about private databases of biometric data and how they might eventually be accessed by the government and other entities. Those warnings now appear to be more relevant. New technology is allowing researchers to delve deeper into family relations using DNA than ever before. And while the results so far have had a positive public impact by solving some decades-old cold crime cases, a lack of regulatory oversight means that eventually these databases could also be used for more nefarious purposes.

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You can be forgiven if you've never heard the term "autosomal DNA." It is a portion of DNA that is passed to all of us by both of our parents. Until recently, it wasn't something that labs could test for or use. But now a private lab has developed a way to use it to track distant relatives of anyone submitting a DNA sample.

That may sound benign. After all, how many of us will ever have our DNA entered into a law enforcement database? But what if law enforcement could use private databases? Those formed by companies doing genealogy research like 23andMe? That would be a game changer. And it is precisely what is happening now.

Last year, a new company formed by the name of GEDmatch. It allows anyone to upload their DNA data to a public database. Its purpose is to do family research. It can allow people to find distant relatives. For instance, someone who is adopted may be able to find their birth mother and father. Or someone researching a family history of a specific disease might be able to find distant relatives. All you have to do is log into your 23andMe account and then upload your data to GEDmatch.

Once the database contained records on 1 million people, researchers started using it. That was early in 2018. And a small company in Virginia by the name of Parabon decided to see if they could use the data on GEDmatch on some criminal cold cases. They've had remarkable success.

On their first attempt, the company was able to solve the 1987 murder of a couple from Canada. It took them about two days. Since then, they've had several other similar successes. Parabon expects the use of their lab, and the GEDmatch database to explode in the coming months as police around the country begin the use them to solve a lot of open cases.

To be clear, we're not against the police having access to data that can be used to solve crimes. And we don't typically

scream for the government to step in and regulate an industry; especially the federal government. The problem is that nobody in government at any level has really thought through how this data will be used in the future. As easily as it can be used to help people, it can also be used to hurt them.

For instance, just imagine how a health insurance company could benefit from access to this data. When you apply for health insurance, you might be told you have to submit a DNA sample. The company could then go off and use that sample to identify medical conditions your family is predisposed to. You could be as healthy as a horse and find out that you are uninsurable simply because family members you've never met came down with some rare disease.

There may also be national security implications to having all of this data available to anyone who wants it. The military and other government agencies are becoming more and more reliant on biometric data to access secure systems. There is a real possibility that public data could be used to reverse engineer the DNA profile of someone with a security clearance. This in turn could be used to access supposedly secure government systems. That may not be possible just yet, but give it a few years.

This is an area that is screaming to be regulated. Perhaps those regulations shouldn't be permanent. But for the time being, it might be wise to limit who can use this type of data, and how it can be used. Once the genie is out of the bottle, there will be no stuffing it back in. And it is already in the process of rapidly escaping. It's time to slow that process down.
byJim Malmberg
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