**DNA Databases and Their Usage by Law Enforcement Agencies**

In this document, I will discuss two prevalent perspectives regarding the access and usage of DNA databases by law enforcement agencies. The databases contain collections of digitized profiles of DNA samples much like what a scanned fingerprint is to an actual fingerprint, and are of two broad types. There are the DNA databases which explicitly exist to identify criminals and then they are other databases that exist for genealogical purposes (and finding lost family) but will sometimes cooperate with law enforcement agencies even violating their own terms of service for what they perceive to be the greater good.

**How DNA Databases Deter Crime**

[**https://www.bloomberg.com/opinion/articles/2021-02-01/dna-databases-are-better-crime-deterrent-than-long-prison-time**](https://www.bloomberg.com/opinion/articles/2021-02-01/dna-databases-are-better-crime-deterrent-than-long-prison-time)

This first article by Professor Jennifer Doleac takes a positive view on the usage of DNA databases by law enforcement agencies. It is first suggested that the present scheme of mass incarceration in the US is ineffective for even as it places considerable fiscal burden on taxpayers, “[a]bout half of those released from prison return there within three years”. It is then argued that the usage of DNA databases is the “most effective way to deter crime” since it “increase[s] the probability of getting caught”. The rationale being that sentences are generally already long so increasing their length and severity will not be of much benefit as a deterrent. What is important then is that offenders must be made to understand that they will be surely be caught were they to once again commit a crime. There will be significantly less cold cases as investigations are made easier and more accurate through the use of DNA Databases which can place perpetrators at the scene of the crime directly if the offender’s DNA is in the database or indirectly if a relative of the offender’s is in the database who may be then interrogated to find the offender.

Though, I am forced to wonder why would anyone who having been caught once would entertain the illusion that one would not be caught again were one to commit a crime. Perhaps then it is not the absence of fear of getting caught that causes offenders to engage in criminal behavior but something else which could not be directly addressed through DNA databases. In any case, Doleac presents her research on Denmark wherein the introduction of a “DNA database [has] reduced the likelihood of another conviction [of the same offender] within the following year by a whopping 42%” as very convincing evidence for her argument.

Doleac then attempts to shoot down would be objections to DNA databases by stating that the Supreme Court has ruled that the addition of adding people charged with a crime (with or without a conviction) to DNA databases is constitutional and that other more prevalent law enforcement tools (such as mass-surveillance) are much more sensitive and revealing. The thrust then is that DNA databases are good and their adoption should be extended.

My personal thoughts on the matter is that though the prevention of crime is invariably essential, there must be a reasonable means to as much – crime will be entirely eliminated if humanity is entirely eliminated but this is not reasonable. And, I am uncertain whether the usage of DNA databases is reasonable ethically. My internal objections specifically are similar to those expressed by the author of the alternate article that follows.

**When governments have access to DNA databases, you’re right to be scared**

<https://www.theguardian.com/commentisfree/2019/nov/09/when-governments-have-access-to-dna-databases-youre-right-to-be-scared#comment-135293814>

This second article by Professor John Naughton takes a pessimistic view on the usage of DNA databases by law enforcement agencies and the government at large. Naughton maintains that there is nothing more revealing and personal than one’s DNA profile. A reasonable statement if one entertains the not all too remote notion of cloning, for what am I but my DNA? Naughton, however, does not express the argument such and takes an alternate direction stating that DNA is most revealing and personal since it can unearth secrets unknown to oneself “such as siblings (and sometimes parents) of whom you were unaware” and genetic predispositions to certain behaviors and ailments. Accordingly, this cannot be compared to other invasions of privacy done in the name of security and good for in the latter cases, it is not only the government that may potentially know where I am at all times but I too know where I am at all times! Accordingly, other invasions of privacy in this respect may be argued less severe, and the argument of Doleac that other invasions of privacy are more severe is contradicted.

Naughton accepts that the expressed motives of catching criminals and discouraging crime are agreeable and noble, highlighting how a DNA database was used to apprehend the perpetrator of a dozen murders in 2018 some forty years after the case had gone cold. But the issue is that there is no guarantee that once given the authority, governments and law enforcement agencies will act agreeably and nobly in spite of stated “democratic safeguards and norms”. Specifically, Naughton gives an example of “the wholesale (and warrantless) mass surveillance undertaken by US government agencies in the wake of 9/11” and how this was supposed to be overseen by a secret court yet it was not and how several actions taken under the program (as later revealed by Edward Snowden) were illegal. Accordingly, since governments may not be trusted to act always correctly, it is best that they not be allowed near data as sensitive as one’s data.

Although, I agree with the concerns that Naughton raises in that governments may at times abuse licenses they have been granted, I find that the conclusion may be perhaps a bit too extreme. One’s value of something may reasonably be evaluated by one’s unwillingness to part with something. Accordingly, the fact that we part ways with so much of our biological material in a given day without much care to ensure it is not misused when we say spit in a tissue and dispose of it in just any bin, use a set of utensils and not necessarily clean ourselves, or even sit in a given location dropping hairs (the average individual sheds a hundred hairs everyday), might be argued evidence of our not valuing our DNA too much. So, what then is the harm of a DNA database, especially when it considered that DNA databases are presently being used to not much apparent harm? I have no ready answer to this and by extension preventing use of DNA databases and their benefit out of cynicism seems wrong.

However, the thought of one’s DNA being readily available for access by malicious actors (since checks and balances can largely always be overcome) is discomfiting at an emotional level particularly when the present US standard only requires that one be charged with a crime in that even if one were to be found innocent, their DNA would be a part of the DNA database.

Accordingly, I cannot conclude on the matter and find that more research is required.