

# Golden State Killer

In 2018, authorities discovered the identity of the Golden State Killer—a man responsible for over 50 rapes, 13 murders, and countless home invasions that occurred in California during the 1970s and 1980s.<sup>1</sup> Now 72 years old, Joseph DeAngelo had evaded police for over forty years until detectives ran crime scene DNA evidence against an online genealogy database that is ordinarily used to connect people to long-lost relatives. Using the Golden State Killer's DNA profile, investigators found that an individual who had uploaded their DNA to the database was probably related to the killer. Then, after investigating that individual's relatives who fit the description and age of the Golden State Killer, the detectives settled on DeAngelo as their prime suspect. The investigators then obtained a DNA sample from DeAngelo and constructed a genetic profile which turned out to be identical to that of the perpetrator. Although he is still awaiting trial, there is very little doubt that DeAngelo is in fact the Golden State Killer.

Few people find the fact that DeAngelo has been arrested on the basis of DNA evidence to be problematic—if the district attorney's office and its investigators made no errors in their procedures, then DeAngelo's capture appears to be a clear victory for justice. What some find problematic, however, is the method that the police used to uncover the killer's identity.<sup>2</sup> Critics consider these methods to be a major breach of privacy. According to this criticism, someone's DNA is *the most private* information about them. Police cannot just demand someone's DNA without probable cause for thinking that they have committed a crime, and no one's genetic information should be turned over to police without a warrant or without the owner's explicit consent. People who upload their DNA to genealogy websites such as the one in question have consented to have their genetic information used for a very specific purpose—to find relatives. They have not given consent for this information to be used by the police. Therefore, using such a website to access someone's private genetic information seems to be an illegitimate way for police to get access to information to which they do not have any right. This case could set a problematic precedent, encouraging further violations of civil rights by law enforcement officials.

In defense of the investigators' actions, some people deny that this was a major breach of privacy: voluntarily uploading your genetic information to a publicly-accessible database means that you give up any reasonable expectation of privacy related to it. Others argue that even if there was a breach in privacy in this case, it is one in which the benefits clearly outweigh the costs. After all, this particular case had been cold for forty years and probably wouldn't have been solved if the detectives had not pursued this strategy. Locating criminals through genealogy websites could open the door to resolving countless previously unsolved cases. Still, opponents respond, the same argument could be made for violating any privacy rights; the ends do not justify the means.

## STUDY QUESTIONS

1. What, if anything, is valuable or important about privacy? Is privacy valuable in itself? Or is it valuable for some other reason?
2. To what extent do companies that collect private data (such as DNA information) about their users have a responsibility to protect that data from being used in ways that their users would not consent to?
3. If this investigative strategy is legitimate for identifying killers, would it be equally legitimate for use in identifying other offenders, as well? What are the potential limits to how it could be justifiably used?

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<sup>1</sup> <https://www.nytimes.com/2018/04/26/us/golden-state-killer.html>

<sup>2</sup> <https://www.nbcnews.com/news/us-news/golden-state-killer-suspect-s-capture-sparks-dna-site-privacy-n869661>

