Criminal Justice and Forensics

DNA profiling, popularly known as DNA fingerprinting, has transformed personal identification, whether in forensic cases, missing persons, mass disasters or paternity disputes. It has become ubiquitous in law enforcement. It is used to exclude individuals suspected of crimes, help convince a jury of an individual’s guilt and in some cases, set free individuals wrongly convicted of crimes.

DNA analysis is also used to suggest ancestral origins; there are several companies offering Y-chromosome and mitochondrial DNA studies to determine, for example, to which of the ancient tribes of Britain a man belongs or whether a man or woman has African, Native American or Celtic DNA markers. It is possible to use forensic DNA profiling in the same way to determine the ethnic or geographical origin of the individual from whom the DNA sample came, providing additional information that could be used to narrow the number of potential suspects. For example, in 2007, a DNA test based on genetic biomarkers indicated that one of the suspects associated with a bombing in Madrid was of North African origin. Using other evidence, police confirmed the suspect was an Algerian, confirming the test result.

It has been suggested that this testing could be extended to identify external and behavioral features as well. Scientists have recently identified the genetic variants related to hair, skin and eye color and are exploring other genes that influence traits, such as facial height and width as well as nose and lip shape. This “forensic molecular photo fitting” may one day serve as a genetically-based police sketch. Today, this approach is still primarily theoretical and currently has little concrete value. As noted throughout this guide, it will take years before the genetic markers associated with all physical and behavioral traits are known.

Legislatively, forensic phenotyping is allowed on a limited basis in some countries (such as the UK) and forbidden in others (Germany). However, for most of the world, legislation that addresses DNA forensic methods is silent about the ability to infer ethnicity or physical traits.

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