



## State Police return DNA sample

Class action lawsuit continues for return or destruction of genetic profiles gathered during investigation of Worthington murder in 2002

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BOSTON -- The American Civil Liberties Union of Massachusetts today welcomed the return of the DNA sample voluntarily provided by Keith Amato as part of the investigation into the 2002 murder of Christa Worthington.

State Police returned the sample on Wednesday, following the filing of a class action lawsuit earlier this summer on behalf of the approximately 100 men who voluntarily provided rule-out DNA samples for the investigation. Investigators initially promised to return or destroy samples that did not match DNA found at the crime scene, but then refused to confirm the ultimate disposition of the rule-out DNA samples and DNA profile information after arresting and convicting Christopher McCowen of the crime.

The lawsuit, which seeks to prevent the State Police Crime Lab from keeping their DNA in a secret "shadow" DNA data bank, continues on behalf of the other men who provided rule-out DNA samples. The ACLU of Massachusetts urges the Executive Office of Public Safety to adopt regulations to ensure that the privacy of those who cooperate with police investigations will be safeguarded.

"This is a victory for genetic privacy and a victory for the common good," said Carol Rose, Executive Director of the ACLU of Massachusetts. "Disregarding the privacy of innocent people is bad public policy, because it discourages people from cooperating in future investigations. The return of this DNA sample is an important first step, but the State Police Crime Lab has tested the DNA sample and has not returned the profile based on that test. The case will proceed because the elimination of the profile is necessary for complete relief."

For a copy of the complaint, see:

[http://www.aclum.org/legal/amato\\_v\\_okeefe/complaint.pdf](http://www.aclum.org/legal/amato_v_okeefe/complaint.pdf)

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