New Jersey State Police accused of warrant-less search and seizure of newborn's blood and DNA

Description

USA: New Jersey State Police were able to access blood samples from the state's Newborn Screening Laboratory by using a mere court subpoena. The State Police accessed blood and DNA WITHOUT probable cause or a warrant. This blood was originally collected from a newborn nine years ago in a hospital setting. Now this DNA is being used to identify the child's father and compel him to take further tests, as the police link him to a crime from 1996.

Newborn Screening Laboratory operates in violation of parental rights, privacy rights

The Newborn Screening Laboratory contains a library of blood and DNA samples taken from babies at birth. Babies do not get to give consent after birth, and parents often give in to invasive blood draws of their newborn due to the high level of coercion and force that is used in the hospital setting. The babies are removed from their parent's care and pricked in the foot several times during their hospital stay.

According to New Jersey statute, hospitals are required to take blood samples at birth to screen for sixty different diseases. Similar DNA harvesting laws are on the books across the United States. Some of these laws allow states to keep the blood and DNA samples for ten years or longer. Parents are not informed about the possibility that the child's DNA could be used without their permission and that it could be used as evidence to build a case against the family. Parents are not given a chance to opt out, either.

New Jersey State Police obtain newborn DNA unconstitutionally to target the father

The blood sample in this New Jersey case was seized via court subpoena, without the child or the parent's consent. The New Jersey State Police were able to analyze the DNA from the nine-year-old

blood spot. Once the police made the DNA connection between the child and his father, they issued a warrant on their target, forcing the father to take a buccal swab. The state was able to tie the child's DNA to his father to charge him for a crime that was committed in 1996. Since then, a lawsuit was filed by the father and the New Jersey Office of the Public Defender, seeking to protect the man against this warrant-less search and seizure.

New Jersey's Office of the Public Defender wants to protect citizens from illegal searches, and they want to investigate state agencies that illegally glean DNA from the Newborn Screening Laboratory. New Jersey State Police are accessing DNA unconstitutionally to build evidence for their prosecutions, and in the process, they may be conducting illegal surveillance of citizens.

According to the details of this case, the all-powerful state can compel blood and DNA harvesting once a child is born. The state may store this personal information for a decade or more, so they can use it against the parents for future surveillance purposes, witch hunts and retaliatory prosecutions. With this DNA database just waiting to be exploited, the state can readily conspire against families, using their child's DNA to compel further testing of family members and build a case against them. This DNA database may also allow unaccountable authorities to come after parents who do not comply with state mandates, unconstitutional order and other senseless decrees that violate parental rights.

A copy of the lawsuit is available for viewing online. The implications of this case are enormous, considering the severity of police state power that was granted to the government over the last two years under the guise of public health and safety. This case will decide whether the state can violate the 4th amendment of the US Constitution and readily access newborn DNA from the Newborn Screening Laboratory without probable cause or a warrant.

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