




Legitimizing "Spaces of Exception" in data exchange: Family reunification; trafficking and the 'war on terror'

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# Interoperability of genetic and forensic databases seen as undesirable for various reasons:

Unconsented use of genetic samples accessioned for research by forensic agencies would:

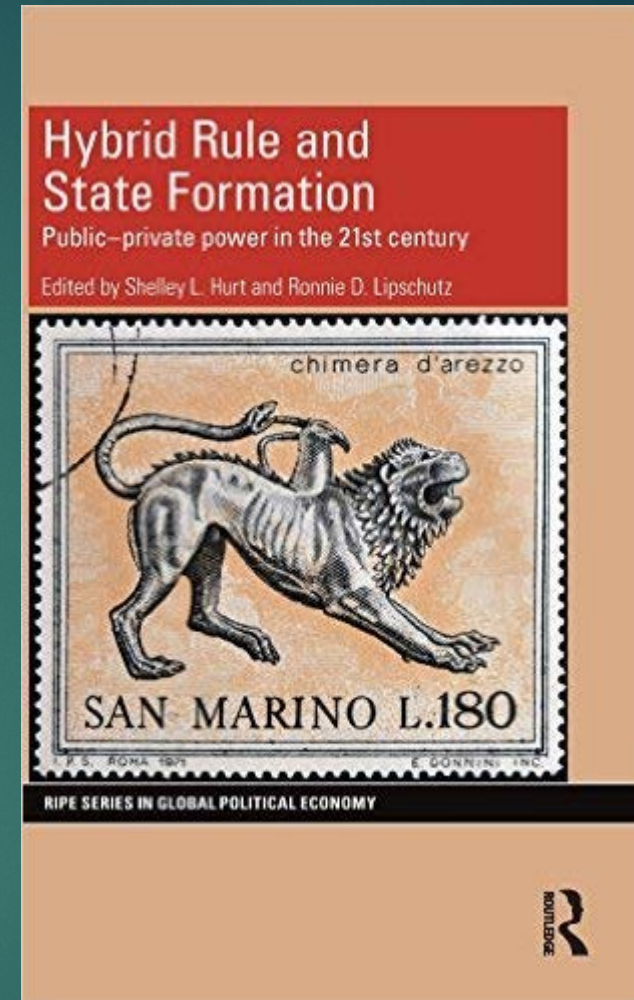
- a) Undermine the donor's informational autonomy
- b) collapse public confidence in the inviolability of medical confidentiality

# 'Spaces of exception' in genetic data exchange:

- ▶ The commandeering of previously banked biomedical DNA; and/or the surreptitious linking together of existing biomedical databases is creating what Agamben would call "a space of exception" in which "the expansion of the power structures of governments is legitimated by a perceived political crisis of some kind" .....
- ▶ a space in which "questions of citizenship, and individual rights can be diminished, superseded or rejected in the extension of state powers"

# Lipshutz: Hybrid Rule

- ▶ Argues here that that rather than being subsumed to neoliberalism the State is in fact gaining in power – power realised through subtler regimes and measures including pacification and depoliticization.
- ▶ These he suggests are becoming instrumental to the enhancement of State power.



# Anna Lindh case



Argentina's 'living disappeared' and the use of a co-valent human rights discourse to legitimate the creation of new spaces of exception in data exchange

## Argentina's authorities order DNA tests in search for stolen babies of dirty war

Children adopted by regime backers checked against bodies of those who 'disappeared' in the 70s and 80s



📷 Marcela Noble Herrera leaves a lab after giving a DNA sample. Her adoptive mother and family say they have nothing to hide. Photograph: Rolando Andrade Stracuzzi/AP



DNA databases could be capable of tracking innocent victims of human trafficking and human rights violation, drawing a debate over privacy concerns and potential collaboration with law enforcement across borders. *Creative*

## **Sex trafficking of adolescents and young adults in the United States: healthcare provider's role.**

Chaffee T<sup>1</sup>, English A.

### **⊕ Author information**

#### **Abstract**

**PURPOSE OF REVIEW:** Sex trafficking of adolescents and young adults is both a human rights violation and a public health problem, globally and in the United States. Healthcare providers, including obstetricians and gynecologists, interact with victims, often while they remain under their traffickers' control, but because of providers' lack of training in identification and response many victims go unrecognized and unaided. This review provides an overview of the definitions of sex trafficking and commercial sexual exploitation, contributing factors, health consequences, recruitment of victims, and identification and response by healthcare providers.

**RECENT FINDINGS:** The literature on definitions and risk factors associated with sex trafficking is growing; however, literature on healthcare providers' role in addressing sex trafficking remains more limited. It is increasingly recognized that healthcare providers have an important role in victim identification and response and as advocates, collaborating with national, regional, and local agencies to increase awareness of sex trafficking as a public health problem and to address the needs of adolescent and young adult victims and survivors globally and in the United States.

**SUMMARY:** As professionals who interact with adolescent and young adult victims of sex trafficking, healthcare providers have an important role: in collaboration with other professionals and agencies they can help to identify, respond to, extricate, protect, and advocate for victims and survivors.

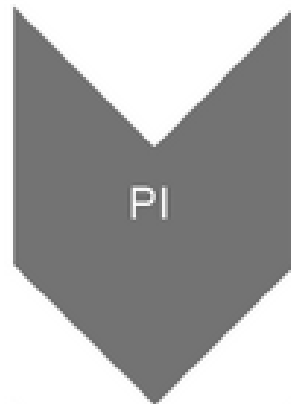
## GENES AND JUSTICE Mining the Database

*Washington Post*

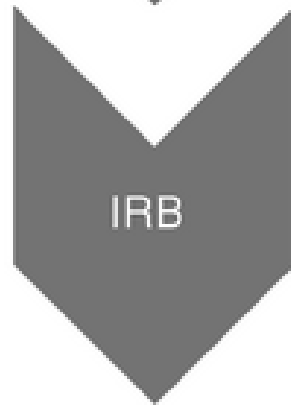
He was a church-going father of two, and for more than 30 years Dennis Rader eluded police in the Wichita area, killing 10 people and signing taunting letters with a self-styled monogram: BTK, for Bind Torture Kill. In the end, it was a DNA sample that tied BTK to his crimes. Not his own DNA. But his daughter's.

Investigators obtained a court order without the daughter's knowledge for a Pap smear specimen she had given five years earlier at a university medical clinic in Kansas. A DNA profile of the specimen almost perfectly matched the DNA evidence taken from several BTK crime scenes, leading detectives to conclude she was the child of the killer. That allowed police to secure an arrest warrant for Rader.

## From Study Design to Obtaining a Certificate of Confidentiality at USC



- Investigator conducting study that collects identifiable information including (but not limited to):
    - Genetic susceptibility or pedigree
    - Mental illness
    - High risk sexual attitudes, preferences and practices
    - Substance abuse or other illegal behaviors
    - Involvement in litigation related to exposure effects (e.g., breast implants, environmental or occupational exposures)
- PI Submits Study to IRB



- PI may have suggested Certificate of Confidentiality in IRB application OR IRB may require a Certificate of Confidentiality as a contingency for approval of the study
  - The application for the certificate of Confidentiality must include the signature of the vice provost for Research Advancement (VPRA)/IO
  - Neither the VPRA nor the IRB will review the content of the application
  - IRB approval required for VPRA signature/NIH granting Cert of Confidentiality
- PI Submits Application for Certificate to IRB



- NIH will evaluate the application based on:
    - Study design
    - IRB approval
    - Signature from VPRA/IO
    - Measures taken to secure subject data
- NIH Grants Certificate to PI