



Combined DNA Index System (CODIS)

CODIS is a network of local (LDIS), state (SDIS) and national (NDIS) DNA databases.

- **NDIS**— highest level in CODIS. Enables the laboratories participating in the program to exchange and compare DNA profiles on the national level.
- **SDIS**— Allows laboratories within states to exchange DNA profiles.
- **LDIS**— All DNA profiles originate at LDIS, and then flow to SDIS and NDIS. WV does not have any LDIS laboratories.

The FBI oversees CODIS, which contains samples from all 50 states, Washington D.C., Puerto Rico, the federal government, and the U.S. Army Criminal Investigation Laboratory.

Categories of DNA Profiles allowed in CODIS

- **Convicted Offender**— profiles of individuals convicted of crimes.
- **Forensic**— DNA profiles developed from crime scene evidence.
- **Arrestees**— profiles of arrested persons (WV state law does not permit the collection of arrestee samples).
- **Missing Persons**— DNA reference profiles from missing persons.
- **Unidentified Human Remains**— DNA profiles developed from unidentified human remains.
- **Biological Relatives of Missing Persons**— DNA profiles voluntarily contributed from relatives of missing persons.

Who Lawfully Owes DNA to the WV DNA Database

- Any person convicted of a felony offense.
- Any person convicted of the following misdemeanor offenses:
 - ◊ §61-2-5 Involuntary Manslaughter
 - ◊ §61-2-13 Extortion or attempted extortion by threats
 - ◊ §61-8B-1 *et. seq.* Sexual Offenses
 - ◊ §61-8D-1 *et. seq.* Child Abuse
 - ◊ Attempts to commit an offense set forth in §61-8B-1 *et. seq.* or §61-8D-1 *et. seq.*
 - ◊ Conspiracy to commit an offense set forth in §61-8B-1 *et. seq.* or §61-8D-1 *et. seq.*
- Any person required to register as a sex offender in this state.
- Any person found not guilty of a qualifying offense by reason of insanity or mental disease or defect.
- Under interstate compact if the person was convicted of an offense in any other jurisdiction which would be considered a qualifying offense under WV Code §15-2B.

A DNA profile obtained from an individual who lawfully owes DNA to the WV DNA Database cannot be used for any other purpose than to be searched against qualified profiles submitted to CODIS.

Expungement

An individual may apply to have their DNA record expunged from the database if the qualifying offense for which they were collected has been reversed and the case dismissed pursuant to WV Code §15-2B-11.

Myths and Facts about CODIS

Myth #1: CODIS is accessible to law enforcement.

Fact #1: CODIS is a closed, offline system under the control of the West Virginia State Police Forensic Laboratory. Access is limited to authorized users that must pass and maintain FBI security clearance.

Myth #2: Once a DNA profile is uploaded to CODIS, it is virtually impossible to remove.

Fact #2: The data included in CODIS is wholly owned by, and responsibility to expunge, belongs to the state. Expungement of DNA data is complete and thorough and documentation is maintained per requirement of the FBI.

Myth #3: DNA contains genetic information, and it is a violation of privacy to put our DNA into a government database.

Fact #3: The DNA profile developed consists of 20-24 STR markers selected for identification purposes only and have no diagnostic value, although gender can be identified. CODIS DNA profiles are not shared with other government agency databases and are not accessible by third parties. If a breach were to occur, (which has never happened since the inception of CODIS), the only obtainable information is a series of numbers.

Myth #4: WV uses CODIS to search for related individuals that could be involved in criminal activity.

Fact #4: While this is authorized in some states, WV does not perform familial searching of the database.

West Virginia State Police is charged with implementing and administrating the Combined DNA Index System (CODIS) for the state of West Virginia.

The DNA Database was created on March 9, 1995, by WV Code §15-2B

Purpose

To assist federal, state, and local criminal justice and law-enforcement agencies in the identification, detection, and exclusion of individuals who are subjects of the investigation or prosecution of violent crimes, sex-related crimes, and other crimes against the person. The database may also assist in the identification of missing persons or unidentified human remains.

A CODIS match is considered an investigative lead and not admissible in court. A new sample must be obtained from the individual and submitted to the laboratory for comparison to the evidence in question. An official laboratory report will be issued providing a statistical weight for the association.

Confidentiality

No personally identifying information is added to CODIS. A DNA record stored in the DNA database is confidential and is not subject to disclosure under section 12593 of title 34, United States Code and WV Code §15-2B-12. A person commits an offense if the person knowingly discloses or obtains identifiable DNA information contained in the state DNA database. A violation under this section constitutes a misdemeanor subject to fines and/or confinement in jail.

WV CODIS Statistics 2023

Total Offender Profiles	47,444
Total Forensic Profiles	3,905
Total Profiles	51,349
Investigations Aided	1,380

National CODIS Statistics 2023

Total Offender Profiles	22,186,647
Total Forensic Profiles	1,308,367
Total Profiles	23,495,014
Investigations Aided	672,008

Visit www.le.fbi.gov for more information on CODIS.

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Check out our website at

www.WVSP.gov

Or click below:



West Virginia's CODIS DNA Database Program



**Sheri Lemons
Laboratory Director**

