

How to Request for a DNA Profile to be Removed from CODIS

The Houston Forensic Science Center has policies and procedures in place to allow for DNA profiles that have been uploaded to the national DNA database, or CODIS, to be removed under certain circumstances.

Following is a brief explanation of when a DNA profile should be removed from the database and how to request HFSC to take such action.

Removing a DNA profile from the CODIS database is called **expungement**. HFSC's DNA technical lead or their designee must approve all profile removals.

There are five main reasons for a profile to be removed from the database.

- 1) **Erroneously collected sample:** This instance involves a DNA sample being erroneously collected from an individual. A letter signed by a corrections, probation or parole official is required to remove this sample from CODIS. The letter must also state that a proper criminal history check has been conducted to ensure there are no other qualifying offenses that would require the profile to remain in CODIS.
- 2) **Petitioning to have a profile removed:** An individual can petition HFSC to remove a profile from CODIS if they believe the profile had been associated with an offense that does not qualify for entry into the national database. To do this the individual must provide a written request to HFSC. Legal counsel and the Texas CODIS program manager will be consulted regarding the request.
- 3) **Juvenile records, acquittals or dismissals:** DNA profiles can and should be removed from the CODIS database if a suspect is acquitted of all charges, the court has dismissed charges or the adjudication of a juvenile record has been sealed. To have the profile removed, the prosecuting attorney can simply provide HFSC with a certified copy of the court order. If the request is coming from an individual or their legal counsel, this must also be accompanied by a written request.

HFSC will notify the requestor within 90 days of its decision regarding whether the DNA profile will be removed from CODIS. In cases when HFSC rules in favor of expunging a profile from the database, that will occur within 90 days of the original request.

You can view HFSC's full policy and its standard operating procedures **here**.