

Kriminalistický ústav

Prague International Conference „Quo vadis, European Forensics?“



National DNA Database and Prüm Cooperation in Czech Republic

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Pomáhat a chránit



Content

1. Czech National DNA Database

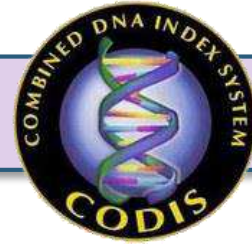
2. Prüm Implementation - DNA

3. Prüm DNA Procedure

4. Statistics



National DNA Database



- System CODIS (provided by FBI)
- Localised at the Institute of Criminalistics (ICP) in Prague
- Installation in **2001** - first DNA profiles entered in 2002
- **2004** – CODIS installed in 7 regional laboratories
 - *only one CODIS level – SDIS – in all laboratories including ICP*
 - *1 server = only on ICP*
- **2011** – installation of version CODIS 7.0
- Currently preparation for installation of version **CODIS 8.0**



DNA Database Legislation



- No separate law on the DNA database in Czech Republic
- The uploading, operation and exploitation of National DNA Database is currently legally regulated by internal police legislation:
 - ✓ Instruction of the Police President No. 275/2016
on Identification Acts
 - ✓ Operating Rules of the National DNA Database

3 separate parts of the Czech National DNA Database

CODIS

- ✓ Contains only DNA profiles marked by unique reference numbers

InfoDNA

- ✓ Contains Personal data of reference samples and informations about forensic stains
- ✓ **Records the whole process of the laboratory analysis of each sample**
(*dates, methods, case numbers, responsible staff, processing status, ...*)
- ✓ Generates reference number of each sample



SHODA (Match)

- ✓ Evidence of found national matches
- ✓ Creates sets of reference numbers with the same DNA profile

Duplicated DNA profiles from persons and DNA profiles from stains identified with a person are deleted from CODIS

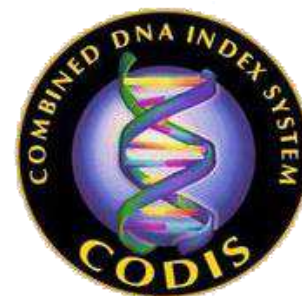
Current Numbers of DNA Profiles in the National Database

Number of DNA profiles in CODIS on the date of 30th September:

- All DNA profiles: **251 491**
- Convicted Offenders and Suspects: **224 100**
- Forensic Stains: **20 845**
- Unidentified Human Remains: **478**
- Elimination, Staff: **2 789**

Number of „cold“ national matches:

- Stain – Person: **9 242**
- Stain – Stain: **2 108**



Prüm Implementation - First Steps in 2007 - 2009

- **Basic preparation of national legislation**
 - **implementation of Prüm decisions and Swedish Framework Decision to the Act No. 273/2008 Coll. on the Police of the Czech Republic (§ 80 and § 80a) and to internal rules**
- **Establishing of Prüm implementation working group** to create the conception of Prüm national solution
 - *composed of members from the International Relations Division, IT unit, the Bureau of Criminal Police and Investigation Service and the Institute of Criminalistics Prague to create the conception of Prüm national solution*
- **Submit of study** „National solution of Criminal database and other evidence with the aim on technical realization of automated exchange of DNA profiles and dactyloscopic data“
- **Police President approved internal document** on the implementation of measures leading to the ability of Police of the Czech Republic to engage in international exchange of data from criminalistic databases



Technical and Legislative Preparation in 2010 - 2012

2010

- preparation of sTESTA network, CODIS, internal regulations

2011

- Installation of CODIS 7.0
- Preparing of Binding Instruction of the Police President regulating automated exchange of DNA profiles and dactyloscopic data (*final approving in 2013*)
- Testing procedure with other countries
- Evaluation visit - SK (*October 2011*)

2012

- Council Decision on 23 January 2012 on the launch of automated data exchange with regard to DNA data in the Czech Republic (2012/58/EU)
- Final preparation of CODIS database (*elimination of duplicate profiles*) and **waiting for approval of internal legislation**



Finalization and Start of Operational Exchange in 2013 - 2014

2013

- Final approval of Binding Instruction of the Police President No. 3/2013 regulating automated exchange of DNA profiles and dactyloscopic data (*effective from January 2013*)
- Start of operational exchange with Slovakia, Poland, Netherlands and Lithuania

2014

- Instruction of the Police President No. 250/2014 on Identification Acts (*effective from January 2014 – replaced the binding instruction No. 3/2013*)
- Start of operational exchange with Austria and Germany



Current Status of Operational DNA Data Exchange

Operational Exchange - 20 countries:

Slovakia (SK)	Estonia (EE)
Poland (PL)	Cyprus (CY)
Netherlands (NL)	Hungary (HU)
Lithuania (LT)	Portugal (PT)
Austria (AT)	Malta (MT)
Germany (DE)	Spain (ES)
Slovenia (SI)	Finland (FI)
Romania (RO)	Belgium (BE)
France (FR)	Croatia (HR)
Sweden (SE)	Latvia (LV)

Already agreed on future start of cooperation:

Bulgaria (BG)
Luxembourg (LU)
Denmark (DK)
Ireland (IE)

Still no communication:

Italy (IT)
Greece (EL)
United Kingdom (UK)



Start of Operational DNA Data Exchange

- ✓ Beginning with each country separately
- ✓ Instalation of Security electronical certificates
- ✓ Entering of e-mail address for the appropriate country into CODIS

- Test procedure
 - Takes place in a **separate test environment of CODIS**
 - Exchanging of test set with known profiles (*NL testset*)

- Operational procedure
 1. Initial mass comparison of all Prüm Stains with new country (*Art. 4*)
 2. Daily searching of incremental DNA profiles - reference samples and stains (*Art.3*)
 3. Individual search requests

- ✓ DNA profiles are sent in **batch files** („**Prüm Search Request**“) in XML format (*1 file = max. 500 profiles*)
- ✓ The answer with information about found matches („**Prüm Match Message**“) usually comes **within 15 minutes** of the request being sent (*mostly < 15 min.*)



Prüm Legislation



International Legislation

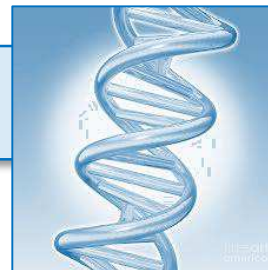
- **Council Decision 2008/615/SV** on the stepping up of cross-border cooperation, particularly on combating terrorism and cross-border crime
- **Council Decision 2008/616/SV** on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly on combating terrorism and cross-border crime

National Legislation

- **Act No. 237/2008** on the Police of the Czech Republic (*§ 80 a § 80a*)
- **Instruction of the Police President No. 275/2016** on Identification Acts (*Art. 61 – 63*)
- **Binding Instruction of the Police President No. 215/2008** on personal data protection



National DNA Analyses Files:



- ✓ **Forensic Unknown**
- ✓ **Suspect Known**
- ✓ **Convicted Offender**
- ✓ **Deceased** (unidentified dead body or human remains)
- ✓ **Unidentified Person** (unidentified living person - without confirmed identity)
- ✓ **Missing Person** (verified source directly from the missing person)
- ✓ **Deduced Missing Person** (reference specimen from a missing person)
- ✓ **Others**

National Prüm DNA Workflow

1. National Contact Point for the 1st step of Prüm DNA data exchange:



Institute of Criminalistics

- responsible for exchange of DNA profiles in CODIS
- reports found and verified matches to BCPIS



2. National Contact Point for the 2nd step of personal information exchange:



Bureau of Criminal Police and Investigation Service (BCPIS)

- verifies personal information related to national DNA profiles
- informs Czech police departments and investigators about found matches with foreign DNA profiles

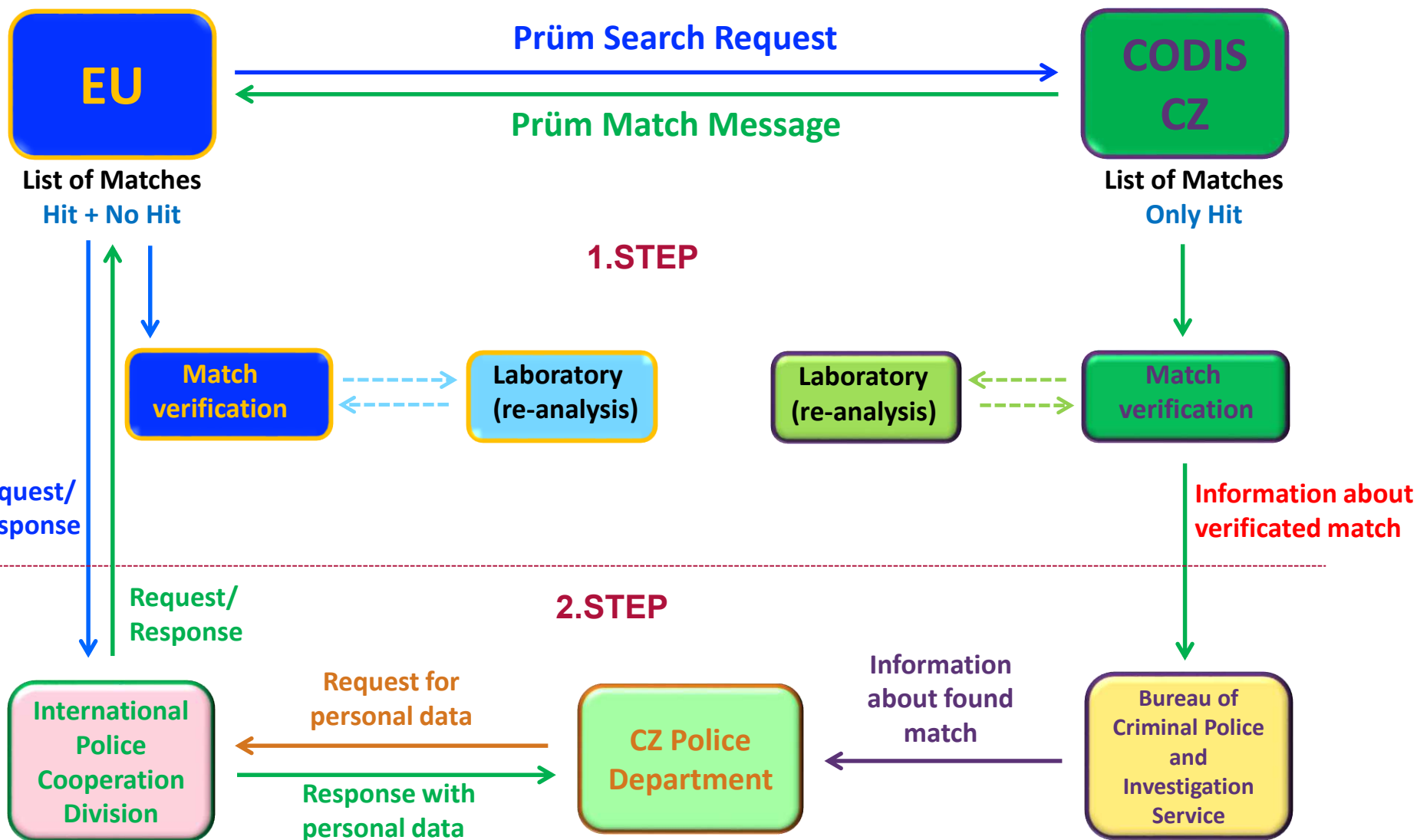


International Police Cooperation Division

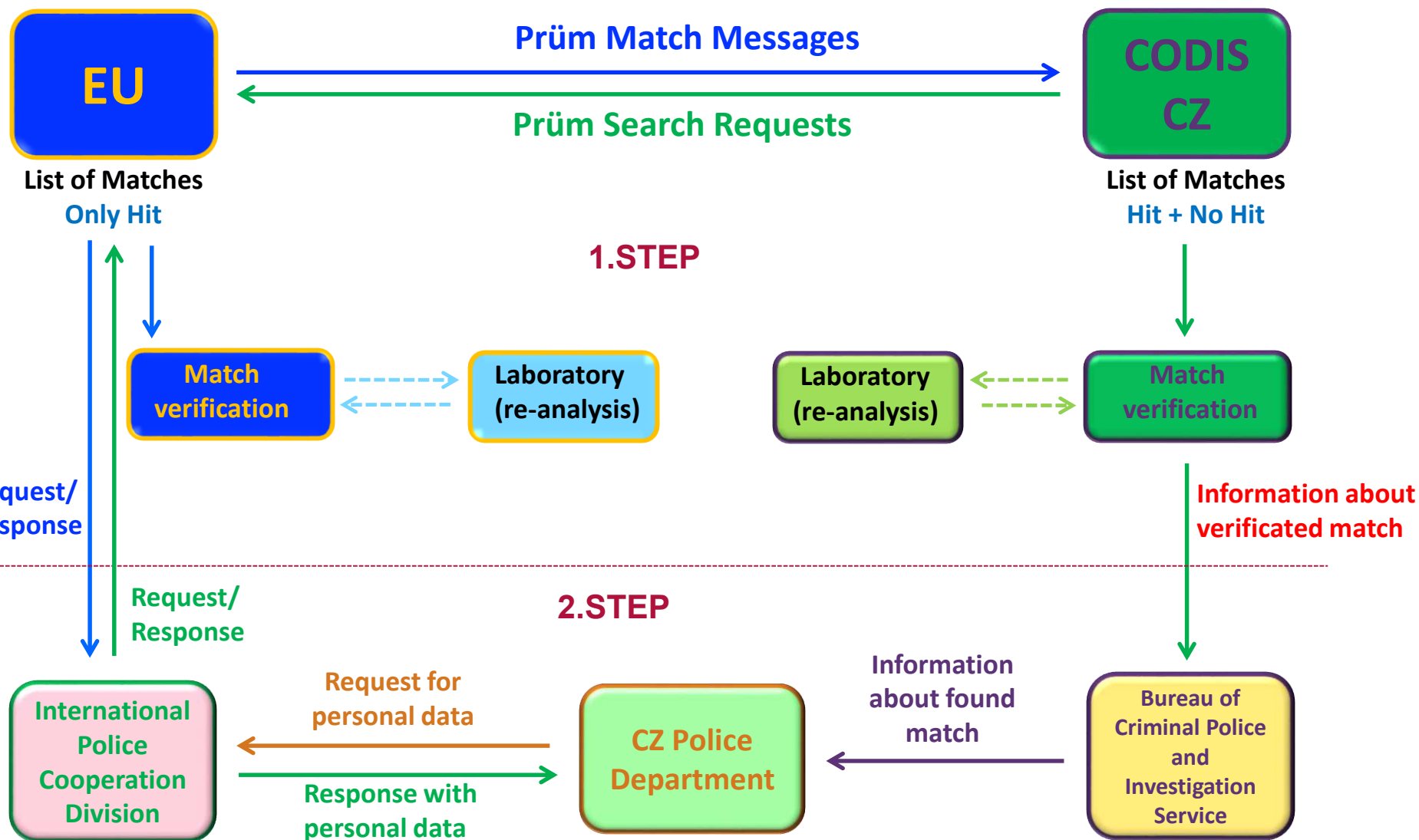
- sends requests for personal data and information **to other Member states**
- accepts requests for personal data and information **from other Member states**



Incoming requests



Outgoing requests



Prüm Statistics	Person_{Own} - Stain_{Ex}	Stain_{Own} - Stain_{Ex}	Person_{Own} - Person_{Ex}	Total
Slovakia	324	97	1 637	2058
Poland	37	25	170	232
Netherlands	56	44	188	288
Lithuania	8	3	48	59
Austria	474	230	2 355	3059
Germany	1 283	531	2 468	4282
Slovenia	7	26	69	102
Romania	1	1	94	96
France	488	87	974	1549
Sweden	28	8	119	155
Estonia	1	4	7	12
Cyprus	2	6	1	9
Hungary	5	6	20	31
Portugal	0	0	1	1
Malta	0	0	0	0
Spain	26	26	125	177
Finland	15	2	28	45
Belgium	33	7	10	50
Croatia	9	6	0	15
Latvia	3	2	0	5
Total	2 800	1 111	8 314	12 225



Thank you for your attention

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