



F27 Questioning the Odontologist's Role in Age Determination for the U.S. Immigration and Naturalization Services

Stephen K. Cohen, DDS, 5092 Tide Village, Street, Croix, VI*

A justification is presented to support the recommendation for all odontologists to cease assisting the INS with age determination of their undocumented, unaccompanied alien immigrants claiming to be under the age of 18.

The U.S. Immigration and Nationalization Service (INS) has been relying heavily on dentists to separate the “men from the boys” from the thousands of undocumented, unaccompanied alien immigrants crossing boarders every year. Because U.S. laws demand preferential treatment of immigrants under the age of 18, many illegal alien adults attempt to pass themselves off as children.

The most common practice used to differentiate the minors from the adults, the radiographic evaluation by a dentist of the person's third molar development, is inadequate. The research of Mincer, Harris and Berryman is cited as the reference from their article, “Molar Development as an Estimator of Chronologic Age”, *Journal of Forensic Sciences*, March 1993. The schematic drawings, definitions and charts included in this article are the source from which an estimated age range is calculated. Quoted from this article: “As reported in other studies, stage of the third molar development was shown to be an inaccurate predictor of chronologic age. Standard deviations (std. dev.) for each of the grades ranged from 1.55 to 3.37 and averaged about two years. This means that age predictability within each stage includes an interval of about eight years: Plus-and-minus one standard deviation (i.e., 4 years) encompasses about 68% of the distribution and +2 standard deviation –that is, about 8 years – incorporates 95% of the sample.” As in the above study, additional researchers have noted variation in different ancestral populations. A high percentage of the recent immigrants, along the east and west coast, have been Chinese, population not often included in these research designs. So, it is not surprising to see numerous documented cases where minors have been incorrectly designated as 18 years of age or older by a dentist using this technique and unjustly exposing minors to the harsher adult environments immigrants' experience. Many of these cases have been appealed and are rallying points for Immigration Advocacy Groups.

A more accurate technique of age determination of late teenagers is readily available. Skeletal age should be used, reflected in the almost fully developed hand and wrist bones. Using the “FELS Method,” the hand radiograph can be compared by a qualified radiologist to atlas standards consisting of photos of radiographs and schematic drawings of the different bone stages of the bones in the hand and wrist. This procedure reduces the range of an estimated age to 9-11 months, an acceptable degree of variance.

It is therefore recommended that dentists cease in their efforts of age determination for the INS and defer to a qualified radiologist in their area. The INS is presently reevaluating the procedures used in age determination to develop an accurate and acceptable national standard.

INS, Age Determination, Dental Analysis