A114 The Role of Stigma in the Medicolegal Investigation of Unidentified Persons

Cate E. Bird, PhD, Anthropology, University of South Florida, 4202 E Fowler Avenue, Social Science Bldg 100, Tampa, FL 33620; Jaime D. Sykes, BA, University of South Florida, 4202 E Fowler Avenue, SOC 107, Tampa, FL 33620; and Jason D.P. Bird, PhD, Rutgers University, Dept of Social Work, Hill Hall, 360 Dr Martin Luther King Jr Boulevard, Newark, NJ 07102*

After attending this presentation, attendees will better understand factors that contribute to the persistence of unidentified persons in domestic casework, focusing on the role that stigma can play in the identification process.

This presentation will impact the forensic science community by illustrating how particular groups become devalued in death through the use of pejorative language in medicolegal reports and how this stigmatization can affect resources dedicated to identifying these people.

Forensic anthropologists are increasingly called upon to assist in the identification of decedents lacking name associations (or tentative names). The forensic science community and the public have benefited from the development of sophisticated tools (e.g., National Missing and Unidentified Persons System (NamUs)) to address this country's "silent mass disaster," which help investigators bypass jurisdictional boundaries and create central, accessible, and easily comparable repositories for antemortem and postmortem data. Still, unidentified persons cases persist. Previous research has noted that particular groups (e.g., the homeless, foreign nationals, etc.) are disproportionally represented among unidentified persons in the United States, the reasons for which are likely multifactorial. These may include deficiencies in the reporting of missing persons (e.g., due to social alienation, fear of legal retribution, lack of available antemortem data, lack of public awareness, incompetence of investigators, etc.) or deficiencies in the reporting of unidentified decedents (e.g., due to lack of available postmortem data, lack of investigator education, lack of funding for sophisticated methods, incompetence of investigators, etc.). One contributing factor that has received limited attention is the role of stigma, or the process by which certain populations are devalued in society.

Macro-level identity of decedents is frequently evaluated as a tool for generating new investigative leads. In forensic anthropology, this "biocultural approach" considers biological, cultural, and contextual indicators as a means to assess group affiliation of unidentified persons. In turn, recognition of group affiliation can help anthropologists cater their route of identification to a specific community. This approach has proven particularly effective in resolving cases of unidentified decedents suspected of being foreign nationals who die while clandestinely crossing the United States-Mexico border; however, the categorization of unknown decedents is not new, nor is it unique to anthropology. Those involved in the medicolegal investigation of death frequently (albeit informally) categorize decedent's macro-level identity, observable in written descriptions from medicolegal (e.g., police, investigative, and autopsy) reports.

While the recognition of group affiliation can be useful, the language used in investigations can both reflect and continue to construct particular groups as "deviant" or less valued in society. This study discusses case examples of written descriptions of unidentified decedents from medicolegal reports, focusing on various types of pejorative language used to describe decedents from particular groups (i.e., homeless, foreign nationals, sex workers, and Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) members). Through this review, the manner in which the construction of these individuals in death as "deviant" can negatively affect the outcome of identification attempts

Copyright 2017 by the AAFS. Unless stated otherwise, noncommercial *photocopying* of editorial published in this periodical is permitted by AAFS. Permission to reprint, publish, or otherwise reproduce such material in any form other than photocopying must be obtained by AAFS.

through the prioritization of casework and the unequal distribution of resources is analyzed. Structural inequalities that certain groups encounter in life can continue to marginalize them in death, and depreciatory language employed as descriptors of group affiliation reinforce the devalued nature of these decedents.

In conclusion, the assessment of a decedent's macro-level identity is inherently political. When considerately applied, this approach may provide incredibly useful investigative leads and innovative routes for identification; however, when objective assessments of decedents are replaced by subjective, morally weighted judgments of an individual's value in society, this can negatively affect the outcome of the investigation. As forensic anthropologists employed to help contribute to identifying unknown persons, it is the responsibility of professionals to recognize this process of stigmatization and devaluation in medicolegal settings and to prevent the continued marginalization of vulnerable populations.

Identification, Stigma, Unidentified Person

Copyright 2017 by the AAFS. Unless stated otherwise, noncommercial *photocopying* of editorial published in this periodical is permitted by AAFS. Permission to reprint, publish, or otherwise reproduce such material in any form other than photocopying must be obtained by AAFS.