



A1 Collaborative Approaches in the Identification of Transgender and Gender Variant Decedents

Amy Michael, PhD*, Durham, NH 03824; Mariyam I. Isa, MA*, Michigan State University, East Lansing, MI 48824; Lee Redgrave, Athol, MA 01331; Anthony Redgrave, MS, Athol, MA 01331

Learning Overview: After attending this presentation, attendees will have learned about a non-traditional, collaborative approach to aid positive identifications in unsolved cases involving transgender and gender variant decedents.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by: (1) opening discussion about obstacles to positive identification of transgender victims; and (2) presenting a collaborative forensic anthropology/genealogy approach to assist in recovering and honoring the identities of these victims.

In cases involving skeletal remains, positive identification requires both osteological expertise and the ability to translate biological and contextual information into a culturally appropriate representation of gender identity expressed during life. Anthropologists are uniquely suited to address the issue of identifying transgender and gender variant individuals in forensic cases.

As osteological specialists, forensic anthropologists routinely estimate sex as part of the biological profile, often the first step toward identification. However, an increasing percentage of the United States population (up to 3.0% or 9.8 million people) identifies as transgender or gender variant, thus complicating the estimation of sex as a factor in positive identification.¹ Traditional sex estimation methods, while largely successful for cisgender individuals, may be insufficient for cases involving transgender individuals.^{2,3}

A recent report demonstrates that as a result of systemic discrimination, transgender individuals experience disproportionately high rates of fatal violence and suicide.⁴ This same discrimination also creates barriers to identification in death. Missing persons may be unreported or incorrectly reported because authorities or families refuse to acknowledge their gender identities.⁴ Furthermore, transgender people may be mis-gendered on medical or legal documents on file; 68% do not possess identification that accurately reflects both their name and gender.⁴ As a result, transgender Does may be described as either Jane or John, which may not match their lived gender or descriptions provided for them.

The Anthropology section of the American Academy of Forensic Sciences (AAFS) has actively worked toward increasing diversity and inclusion in the section and in anthropological research in recent years. However, the problem of identifying transgender and gender variant decedents remains underexamined in our field. This presentation focuses on one potential avenue toward identification resolution: collaboration with the Trans Doe Task Force (TDTF), an organization created to find and research cases involving transgender decedents to assist the non-profit forensic genealogy-focused DNA Doe Project. Both organizations are focused on generating positive identifications for John and Jane Does, though the TDTF focuses on researching and identifying Doe cases who were likely transgender or gender variant during life. Forensic genealogy is, in part, the application of genealogical research to the positive identification process. To date, AAFS does not recognize forensic genealogy as a forensic discipline due to an insufficient number of practitioners in its membership. This study posits that the TDTF is an important component of the growing conversation around challenges in identifying transgender victims in the field of forensic anthropology.

To illustrate the potentially productive collaboration between forensic genealogists and anthropologists, this presentation will present a case study in which a creative and collective approach to identification was pursued. The Doe involved was likely mis-gendered via forensic art and the original police investigation in the 1980s. The TDTF has identified this particular case as one that reflects the challenges surrounding cold cases involving gender variant decedents. The necessary steps in case identification are presented to illustrate a successful research process and submission to the DNA Doe Project. Traditional (e.g., the National Missing and Unidentified Persons System (NamUs)) and non-traditional means (e.g., archived LGBTQ+ zines, Trans Day of Remembrance lists, Facebook® pages dedicated to missing and murdered transgender victims, etc.) are used during case research; these factors will be of interest to forensic anthropologists who suspect they may be working on cases involving transgender individuals. Additionally, the case study will demonstrate why and how sex estimation methods should be augmented in cases of transgender victims. Finally, a discussion of the possible privacy concerns and case access issues involved in a combined forensic genealogy/anthropology approach will be reviewed.

In some cases, the translation of forensic genealogical data, in association with thorough police investigation and forensic sex estimation, are all necessary to resolve identities of transgender decedents. A thoughtful, culturally informed approach anchored by an appreciation of gender diversity and identity in marginalized populations will better serve the victim by more quickly resolving identifications and honoring the lived identity of the decedent.

Reference(s):

1. GLAAD. 2017. *Accelerating Acceptance*. https://www.glaad.org/files/aa/2017_GLAAD_Accelerating_Acceptance.pdf.
2. Warren M.W., Roberts C., Altes K.B. Skeletal Markers of Gender Reassignment. A48. *Proceedings of the American Academy of Forensic Sciences, 67th Annual Scientific Meeting*, Orlando, FL. 2015.
3. Warren M.W. Context and Cognitive Bias: Informed Applied Science vs. Working in the Blind. A112. *Proceedings of the American Academy of Forensic Sciences, 67th Annual Scientific Meeting*, Orlando, FL. 2015.
4. Human Rights Campaign Foundation. 2018. *A National Epidemic: Fatal Anti-Transgender Violence in America in 2018*. https://assets2.hrc.org/files/assets/resources/AntiTransViolence-2018Report-Final.pdf?_ga=2.64681327.1191269802.1570129723-2062334073.1570129723.

Transgender, Sex Estimation, Positive Identification