A100 Investigating Unidentified Migrant Remains Across Texas Jurisdictions: An Analysis of Positive Identifications by Operation Identification at Texas State University

Molly A. Kaplan, BA, Texas State University, San Marcos, TX; Molly Miranker, MA, Texas State University at San Marcos, San Marcos, TX 78666; Kate Spradley, PhD, Texas State University, San Marcos, TX 78666; Courtney C. Siegert, MA, Texas State University, San Marcos, TX 78666; Chloe P. McDaneld, MA, Texas State University, San Marcos, TX 78666*

Learning Overview: After attending this presentation, attendees will have a better understanding of the positive identifications of unidentified migrants made by Operation Identification (OpID) at Texas State University, the time it takes to make such identifications, and need for centralized investigative efforts in Texas.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by increasing awareness of OpID's investigative activity as well as promoting best practices and strategies for improving identification outcomes of unidentified remains across Texas jurisdictions.

In 2012, Texas surpassed Arizona as the state with the highest rates of migrant death. According to United States Customs and Border Patrol statistics, a total of 1,566 migrant deaths occurred in Texas from 2012 to 2018, though more than 4,000 migrant individuals have died in the state since 1998. Whereas Arizona has the centralized agencies of the Pima County Office of the Medical Examiner (PCOME) and the Maricopa County Office of the Medical Examiner (MCOME) to investigate the deaths of most unidentified migrants recovered from the state's public land, investigations in Texas are county dependent, with most cases being handled by justices of the peace. Because only 14 of the 254 counties in Texas have medical examiner's offices, forensic experts are often not involved in the investigation of unidentified migrant deaths, despite statewide legislation that all unidentified remains undergo inquests and DNA sampling. The need for increased forensic resources and streamlined investigative systems in Texas is urgent.

OpID, founded in 2013, seeks to recover the remains of unidentified migrants found along or near the United States-Mexico border in order to facilitate positive identification and repatriation. To date, OpID has 287 active unidentified remains that have been recovered from ongoing cemetery exhumation efforts or transferred from other medicolegal agencies or law enforcement authorities. Since 2013, OpID has made a total of 35 positive identifications. Despite the much-needed answers that these identifications have given families, the identification process for undocumented migrants still remains challenging, in large part due to the fragmented nature of death investigation in the region. In addition to the difficulty of recovering well-preserved remains from vast expanses of private land, the burial of unidentified migrant remains without proper sampling or documentation greatly hinders their ability to be identified when they are exhumed.

The goal of the current presentation is to examine all of the positive identifications made by OpID in order to shed light on the timing, obstacles, and potential solutions inherent to investigating unidentified migrant death in South Texas. All positive identifications made to date by OpID were analyzed in relation to case demographics, recovery location, and the identification process undertaken, including the timing from recovery to positive identification, the means by which cases were solved (i.e., DNA or fingerprints), and the degree of non-OpID forensic practitioner involvement. For all OpID-positive identifications, the average time from recovery to identification was just over three years (3.3 years), with cases ranging from two months to nearly seven years. OpID cases that had been recovered from exhumation efforts took on average two years longer than cases that had been transferred to OpID from medical examiner or local authorities' offices, though the timing for these transfer cases was also slow (an average of 3.9 years and 1.9 years, respectively). Case studies will be presented to further discuss the timelines of these investigations.

Solving unidentified migrant cases in Texas requires the centralization of postmortem data and extensive coordination between many agencies. While the average time to identify remains is just over three years, there are still more than 200 individuals that have yet to be identified. Data sharing and case coordination between local authorities, forensic institutions, and international stakeholders could aid in the investigation of these cases and shorten the timeline. However, this degree of cooperation needed also requires policies, funding, and educational outreach to ensure compliance with state law. While exhumations of the long-term dead will still be necessary to make positive identifications, future cases should not be interred without proper analyses, sampling, and documentation from forensic practitioners.

Migrant Deaths, Identifications, Human Rights