



A84 The Role of Civil Society and the State in Transnational Identifications at the United States-Mexico Border

Kate Spradley, PhD*, Texas State University, San Marcos, TX 78666; Courtney C. Siegert, MA, Texas State University, San Marcos, TX 78666; Mercedes Doretti, MA, Argentine Forensic Anthropology Team, Brooklyn, NY 11233; Robin C. Reineke, PhD, Southwest Center, University of Arizona, Tucson, AZ 85721; Eduardo Canales, BS, South Texas Human Rights Center, Falfurrias, TX 78355; Christine M. Kovic, PhD, University of Houston-Clear Lake, Houston, TX 77058

Learning Overview: After attending this presentation, attendees will learn the discordance between state-mandated legal approaches to identification and humanitarian efforts when dealing with transnational identification efforts.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by indicating the need for civil society-based approaches to aid in identification efforts across transnational borders.

Forensic anthropologists often work with unidentified human remains with the goal of building a biological profile to facilitate identification and repatriation. While it was once difficult to share missing person's information across state lines, the past 20 years have seen incredible strides with the creation of the National Missing and Unidentified Persons System (NamUs) and the Combined DNA Index Systems (CODIS). NamUs and CODIS both allow data sharing across jurisdictional lines within the United States and work to associate missing persons with unidentified persons, resulting in fewer unsolved cold cases. Although these systems exist through federal funding, there are no state or federal resources that allow for transnational sharing of missing persons information or genetic data.

The continually occurring mass disaster at the United States-Mexico border, with more than 6,000 reported migrant deaths since 2000, remains challenging to forensic practitioners, families of missing migrants, and all agencies working toward positive identification on both sides of the border.¹ Due to the lack of federal- and state-mandated resources for transnational collaboration regarding unidentified human remains found in the United States, civil society plays a large role in facilitating identifications by acting on behalf of families of the missing as well as working directly with forensic practitioners across borders. The purpose of this presentation is to highlight, through data and case studies, the role civil society has played in the identification of missing migrants along the United States-Mexico border with specific reference to Texas.

Data were collected from the Forensic Anthropology Center at Texas State (FACTS) where 287 migrant remains are undergoing anthropological analysis pending identification through coordinated efforts with governmental agencies and civil society. FACTS, through Operation Identification, works with government agencies and civil society organizations, including the Argentine Forensic Anthropology Team (EAAF), the South Texas Human Rights Center, and the Colibrí Center for Human Rights, to facilitate identifications. As required by state law, FACTS submits DNA samples from unidentified human remains for genetic profiling and upload to CODIS. Additionally, FACTS collaborates with the EAAF and Colibrí to compare unidentified genetic profiles with family DNA data that is not in CODIS. In total, FACTS has facilitated 14 genetic associations through the submission of 55 DNA profiles to the EAAF and 19 genetic associations through the submission of 188 DNA samples to CODIS.

Although FACTS follows state laws regarding unidentified human remains, without additional collaboration with civil society organizations, only 16 out of 33 identifications would have been possible. This collaboration has also led to the discovery of burials representing the long-term dead in need of exhumation and identification efforts. Additionally, civil society has been able to raise awareness of the lack of transnational data sharing to policy makers who have the power to provide much-needed change. The identification comparisons will be discussed within a larger framework using specific case study examples and highlighting specific roles that civil society has played in shaping policy for unidentified human remains.

While working within the United States, individual states have the responsibility to facilitate identifications using either local or federal systems. Although our current federal systems facilitate sharing of information across jurisdictional lines, it is not currently possible to share such information on a transnational level without civil society collaboration.

Reference(s):

1. United States Border Patrol. 2018. *Southwest Border Deaths by Fiscal Year*. <https://www.cbp.gov/sites/default/files/assets/documents/2019-Mar/bp-southwest-border-sector-deaths-fy1998-fy2018.pdf>.

Transnational Identification, Civil Society, Migrant