

A141 The Role of the Anthropologist in the Identification and Repatriation of Deceased Migrants Along the United States-Mexico Border

Timothy P. Gocha, PhD, Texas State University, 601 University Drive, San Marcos, TX 78666; Kate Spradley, PhD, Texas State University, Dept of Anthropology, 601 University Drive, San Marcos, TX 78666; Ryan Strand, BS, South Texas Human Rights Center, 117 E Miller Street, Falfurrias, TX 78355; Bruce E. Anderson, PhD, PCOME, Forensic Science Center, 2825 E District Street, Tucson, AZ 85714; and Alicia Lusiardo, Argentine Forensic Anthropology Team (EAAF), 578A Halsey Street, Ground Fl, Brooklyn, NY 11236*

After attending this presentation, attendees will better understand the role of the anthropologist in the identification and repatriation processes of deceased migrants located along the United States-Mexico border.

This presentation will impact the forensic science community by highlighting how the role of an anthropologist varies in identification and repatriation processes depending on local and state laws and how this role may extend well beyond skeletal analysis.

Often law enforcement may be responsible for identification efforts while an anthropologist provides a report to a medical examiner, law enforcement agency, coroner, or Justice of the Peace (JP); however, in other circumstances, responsibility for identification may fall to the anthropologist. Depending on jurisdiction, these responsibilities vary, with the anthropologist taking on new roles.

These varied roles will be examined through a survey of three partner organizations of the Forensic Border Coalition (FBC): the Argentine forensic anthropology team, Equipo Argentino de Antropología Forense (EAAF), the Pima County Office of the Medical Examiner (PCOME), and the Forensic Anthropology Center at Texas State (FACTS). A generalized description of identification and repatriation processes is given for migrant deaths in Arizona, while case studies will be discussed to illustrate the complexities of these processes in Texas.

The EAAF investigates migrant deaths along both sides of the United States-Mexico border. Regarding cases of unidentified remains recovered in the United States, EAAF facilitates the collection of family reference sample DNA for comparison to DNA samples from remains likely to correspond to migrants. When DNA analysis suggests an identification, the EAAF works with forensic data banks on missing migrants or other mechanisms within the migrant's country of origin to compare all antemortem and postmortem records to confirm an identification. The EAAF writes an identification report and works with the appropriate local United States officials to legally recognize the identification. In recent years, EAAF has helped identify 65 migrants who perished within the United States. Repatriation is then handled by a Consulate's office, overseen by the Foreign Affairs Ministry from the decedent's home county.

In Arizona, forensic anthropological investigations of presumed migrants take place at the PCOME. Between 2001 and 2013, the PCOME received the remains of 2,203 presumed migrants and successfully identified 1,463. For cases requiring skeletal analysis, anthropologists at the PCOME construct both a biological and cultural profile. Once an identification hypothesis is made, the anthropologist compares all antemortem and postmortem data, writes an identification report, and briefs the medical examiner, who legally signs off on an identification. If the decedent is to be returned to their country of origin, the local Consulate's office manages the repatriation of the remains, a process that can take weeks to months.

Since 2013, Operation Identification (OpID), housed within FACTS, has received the remains of 87 presumed migrants, many through exhumation efforts carried out by Baylor University and the University of Indianapolis. DNA analysis, in addition to anthropological analyses of the skeletal remains and personal effects, are the primary sources for identification hypotheses. Once a DNA association is reported, anthropologists associated with OpID compare all antemortem and postmortem data, write an identification report, and brief the appropriate JP, who legally approves the identification. Since 2014, OpID has helped facilitate nine identifications; however, only five of those individuals have been successfully repatriated. The repatriation process for counties without a medical examiner requires the coordinated efforts of Consulate offices, the funeral home handling the repatriation, the funeral home that originally filed the death certificate, and the JP, which can all vary by case. Unlike the Arizona model in which these efforts are centralized, in Texas, these parties can be vastly separated by geography, culture, and available resources, which can result in a breakdown of communication and stagnation of the repatriation process. In the

most egregious example, an individual identified by OpID in August 2014 has still not been repatriated as of July 2016.

This unfortunate reality has led to anthropologists in Texas adopting new roles as de facto case managers and stewards of identification and repatriation processes. Anthropologists associated with OpID, with help from other FBC partners, are now facilitating/mediating communication between funeral homes, law enforcement, JPs, medical examiners, and the decedent's family members. It is believed these expanded roles of the anthropologist will help streamline and hasten the repatriation of remains.

Migrant Deaths, Identification, Repatriation