

Family ties and DNA at the border untangling misconceptions

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September 26, 2018



Image: Getty Images, Steinbuch Y. New York Post (July 6, 2018)

Three contexts for DNA at the "border" before Summer 2018

DETAINEES

Under authority of 73 Fed. Reg. 74932; 42 USC §14135a

Process

Obtain DNA profiles from detained migrants for detainee index of CODIS

BORDER CHECKS

Under development by DHS

Process


Compare DNA profiles of claimed biological relatives entering the U.S. using rapid DNA technology

FAMILY REUNIFICATION

Required for P-3 refugee visa petitions
Requested / optional for other immigrant petitions



Process

Family orders relationship test from AAB-accruited laboratory, results are sent to DOS



DNA is going to be used at the border. What do you think?

Ummmm... it depends?



To compare DNA profiles of border crossers to CODIS evidence profiles to catch suspects?

To add DNA profiles to CODIS of border crossers to catch them for future crimes?

To add DNA profiles to another database to detect repeat crossers?

To verify claimed family relationships as migrants enter the U.S. to prevent human trafficking?

To verify claimed family relationships of children separated from biological relatives?

To verify identity of persons at different points as they navigate the immigration/justice system?

Which border(s)? Airports?

Anyone crossing by foot? Anyone caught by CBP on foot?

Anyone charged with the crime of crossing illegally?

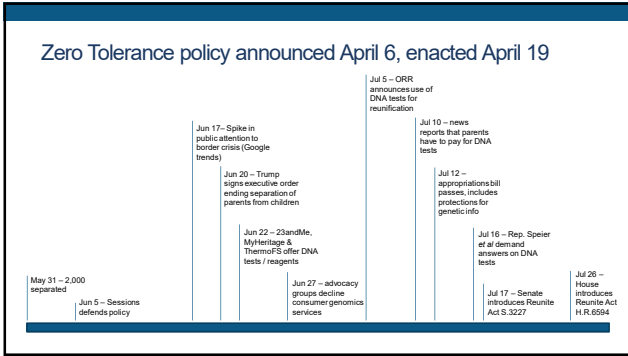
Testing by whom?

What's so special about genetic information anyway?

- Is a **DNA profile** the same as a fingerprint?
 - ...maybe, maybe not...
- A **DNA sample** contains information that can predict
 - disease propensities
 - psychological predispositions
 - medical information
 - biological relationships
 - ancestry or ethnic data
- A **DNA sample/profile** may contain information the DNA source may not know, may not wish to know, and/or may not wish others to know
 - "Right not to know"

"Family" is a social construct, not a biological one





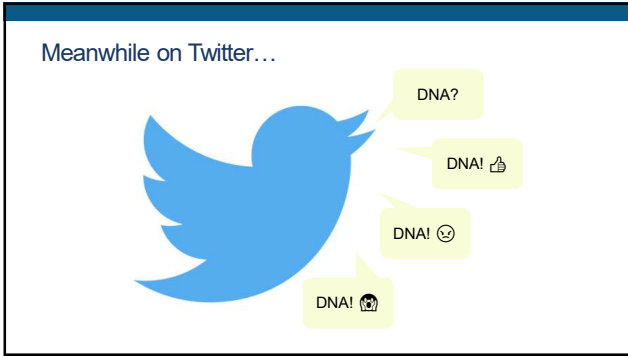
Genetics! That's the (an) answer...

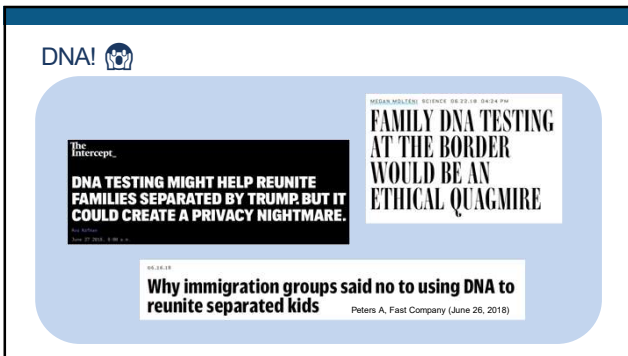
MyHeritage Offers Free DNA Tests to Help Reunite Separated Migrant Children with their Parents
Business Wire June 21, 2018

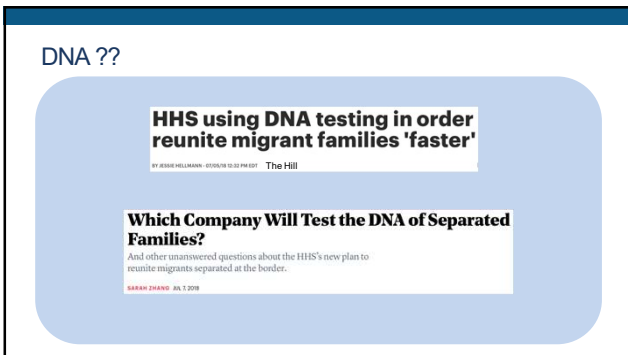
23andme donating DNA kits to help reunite migrant families
Tatiana Sanchez June 25, 2018 at 1:38 pm San Jose Mercury News

Rapid DNA Tech Donated to Reunite Families at Border (See in Action)
By Tammy White June 21, 2018 American Security Today

Why aren't we taking DNA instead of children?
 By Sara H. Katsanis And Jennifer K. Wagner Guest column
Herakl Sun June 25, 2018







DNA! 😊

DNA tests used to reunite migrant families spark worries they'll be used for much more
Elizabeth Weiss/Royal Society and Alan Gomez, USA TODAY PUBLISHED 11:50 A.M. ET JULY 9, 2018 | 10/00000 0200 P.M. ET JULY 9, 2018

Government Told Immigrant Parents to Pay for DNA Tests to Get Kids Back, Advocate Says
JUSTIN CLARKE, ADAM RAWNSLEY 07:10:16 0:00 PM ET

Test DNA of migrant kids only as last resort, ethicists say
By RICARDO ALONSO-ZALDIVAR and ELLIOT SPAGAT AP, July 10, 2018

Why use DNA? Why not?

- Reasons to
 - Detect human trafficking at the border
 - Verify relationship claims
 - Locate missing family members
 - Detect repeat border crossers
- Reasons not to
 - Family is a social construct
 - Many children travel with non-parental family members
 - Other documentation may suffice
 - Most children not "lost"

DATA SLIDES ON
 ANALYSIS OF NEWS
 AND TWEETS TO COME

What is the truth?
What can we learn from this?
What can be different next time?

Legitimate concerns voiced this summer

- What exactly is the government doing/planning?
- What is the legal authority – whether voluntary or not?
- Who has access to genetic information?
- How is information protected?
- What are the consent processes for voluntary sampling/testing?
- How are test results used?
- How is stigmatization of non-traditional families avoided?



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THANK YOU

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