



# Migrant Deaths in Texas: A Chronic Humanitarian Crisis

Special Issue: Kerwin, Donald, Daniel E. Martínez, and Courtney Siegert. 2024. "Forced Migration, Deterrence, and Solutions to the Non-Natural Disaster of Migrant Deaths Along the US-Mexico Border and Beyond." *Journal on Migration and Human Security* 12(3).

## OVERVIEW

Three articles in this 11-paper *Journal on Migration and Human Security* special issue examine the phenomenon of migrant deaths in Texas. More than other southwestern border states, Texas faces notable structural and resource challenges that impede investigating and identifying migrant decedents and repatriating their remains to loved ones. These factors result in legally noncompliant and ethically questionable practices in addressing this humanitarian tragedy. Texas' mixed Medical Examiner/Justice of the Peace medicolegal system suffers from fragmentation across county jurisdictions, limited resources, and minimal access to investigative tools for transnational cases. These challenges produce a landscape where unidentified presumed migrants may structurally disappear, such as by being buried in temporarily marked graves as unidentified persons with no investigation or case tracking, or they may languish in a Medical Examiner's or morgue's refrigerated cooler. The article by Courtney Siegert and her colleagues highlights the work of Operation Identification (OpID), a humanitarian project formed to address these structural challenges and assist border counties with recovering, identifying, and repatriating migrant remains. An article, by Molly Miranker, highlights how qualitative information may be used to enhance understanding and inform recommendations for improved accounting of migrant deaths along the Texas-Mexico border. A study by Stephanie Leutert examines the extent to which the US Border Patrol systematically undercounts migrant fatalities in three different counties in Texas.

## KEY FINDINGS

- Siegert and colleagues' work indicates that the new epicenter for migrant deaths in Texas has shifted west to the Eagle Pass region, where the state has expanded its border security and enforcement measures. The authors stress the need for major reform to the medicolegal death investigation system in Texas and propose the establishment of centralized identification centers in the Texas borderlands.
- Miranker finds that English-language newspapers obscure the prevalence of migrant deaths and employ a narrative tone of "business as usual" that normalizes these deaths. Spanish-language articles better represent the human tragedy of deaths, and the diversity of entities involved in migrant remains management and forensic investigation.
- Leutert's comparative analysis confirms that the Border Patrol undercounted migrant deaths across three South Texas counties during the study period. In particular, it failed to count 139 of the 749 migrant deaths recorded by local authorities from 2009 to 2017, which constituted 19% of the total cases. Uncounted remains tended to be skeletal remains, those that lacked identifying documents, and those discovered by an entity other than Border Patrol.

## POLICY RECOMMENDATIONS

- Presumed migrant decedents should be managed using a disaster victim identification approach, which prioritizes identification rather than how and why someone died when foul play is not suspected.
- The Office of the Texas Governor should establish funds distinct from the Operation Lone Star program for the management of unidentified human remains.
- Because most counties in Texas do not have access to a medical examiner's office, Regional Migrant Identification Centers (MCIs) should be established to streamline identification and repatriation efforts, while ensuring compliance with Texas law by Justices of the Peace.
- MCIs would provide training, store extra equipment, hire personnel to inventory cases, and report case information to the state and foreign consulates.
- The papers also argue for increased access by medicolegal authorities to national databases including the National Combined DNA Indexing System (CODIS) and the National Missing and Unidentified Persons System (NamUs).