Family ties and DNA at the border untangling misconceptions

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Three contexts for DNA at the “border” before Summer 2018

<table>
<thead>
<tr>
<th>DETAINNEES</th>
<th>BORDER CHECKS</th>
<th>FAMILY REUNIFICATION</th>
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</thead>
<tbody>
<tr>
<td>Under authority of 73 Fed. Reg. 74932; 42 USC §1413a</td>
<td>Under development by DHS</td>
<td>Required for P-3 refugee visa petitions</td>
</tr>
<tr>
<td>Process: Obtain DNA profiles from detained migrants for detainee index of CODIS</td>
<td>Process: Compare DNA profiles of claimed biological relatives entering the U.S. using rapid DNA technology</td>
<td>Requested / optional for other immigrant petitions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Process: Family orders relationship test from AABB-accredited laboratory, results are sent to DOS</td>
</tr>
</tbody>
</table>
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?

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

Ummmm... it depends?

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
Zero Tolerance policy announced April 6, enacted April 19

May 31 – 2,000 separated
Jun 5 – Sessions defends policy
May 31 – 2,000
Jun 17 – Spike in public attention to border crisis (Google trends)
Jun 20 – Trump signs executive order ending separation of parents from children
Jun 22 – 23andMe, MyHeritage & ThermoFisher offer DNA tests/reagents
Jun 27 – Advocacy groups decline consumer genomics services
Jul 5 – ORR announces use of DNA tests for reunification
Jul 10 – News reports that parents have to pay for DNA tests
Jul 12 – Appropriations bill passes, includes protections for genetic info
Jul 16 – Rep. Speier et al demand answers on DNA tests
Jul 17 – Senate introduces Reunite Act S.3227
Jul 26 – House introduces Reunite Act H.R.6594

Genetics! That’s the (an) answer…

MyHeritage Offers Free DNA Tests to Help Reunite Separated Migrant Children with their Parents

23andme donating DNA kits to help reunite migrant families

Why aren’t we taking DNA instead of children?

By Sara H. Katsanis And Jennifer K. Wagner Guest column

Herald Sun June 20, 2018
Meanwhile on Twitter…

DNA? 🤔
DNA! 😊
DNA! 😊
DNA! 😁

Peters A, Fast Company (June 26, 2018)

DNA??

HHS using DNA testing in order to reunite migrant families ‘faster’

Which Company Will Test the DNA of Separated Families?

FAMILY DNA TESTING MIGHT HELP REUNITE FAMILIES SEPARATED BY TRUMP BUT IT COULD CREATE A PRIVACY NIGHTMARE.

Why immigration groups said no to using DNA to reunite separated kids

Peters A, Fast Company (June 26, 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?
THANK YOU

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