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Sex vs Gender in a Forensic Anthropological Analysis

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Abstract: *This paper will be discussing the topic of gender identification in a forensic anthropology outcome. The purpose will be to see if a forensic anthropologist should determine the gender of an individual or just biological sex when talking about identifying a body. To support this argument, the following topics will be evaluated: looking at the current methods used for identifying sex of an individual, looking at reconstruction and modification practices, looking at documentation aspects in a forensic report, biological profile make up, and cultural significance. The conclusion will state that anthropologists should make a case for sex, but that gender must be kept from a report unless there is scientific evidence to report gender.*

Introduction

This paper will be discussing the topic of gender identification in a forensic anthropology outcome to see if forensic anthropologists should determine the gender of individuals or if they should focus solely on biological sex. The definitions of the terminology noted below will be used throughout this paper. These terms and definitions may be different in other areas of focus as they change due to social construct. This paper will also include the current methods used in identifying sex, a focus on the theoretical aspect and legal aspect of what to do when trying to identify a missing person's sex versus gender. With the current methods available, a forensic anthropologist should only ever state a sex assessment in a statistical percentage with appropriate error rates and should only try to assess sex when possible and not gender. If secondary information, such as driver's license, implants, gender-specific clothing, or other personal items are available, that information should be used by other outside agencies, but not by the forensic anthropologist. To clarify, the point will be made that it is not the job of the forensic anthropologist to assign a gender to a set of remains. They must solely focus on the physical evidence in front of them.

Terminology

To begin with, this paper will explain the definitions of sex and gender as these terms will be used throughout the paper. Sex is relating to the biological/genetic characteristics of an individual. The two main categories of sex are male and female, but there are special cases where an individual can be born with both male and female biological features (WHO 2018). For the purpose of this paper, the focus will be on the male and female aspects of sex. As a clarification, genitalia will not be considered as a part of the biological makeup, as this can be altered, which will be discussed further in the paper. Gender, unlike sex, is the social construct of sex characteristics, this can refer to how a person acts, is treated, how they interact with others, and

how they are viewed in society (WHO 2019). The biggest difference between gender and sex is that sex is a biological term and gender is a cultural term.

There are many gender identities; because of this, the following will list examples of some of the more common categories. Transgender is when an individual is born with one set of sexual characteristics but identifies as the opposite sex (Pine Brush Central School District). Transsexual is when an individual had realignment surgery in order to change their outside sexual characteristics to match how they identify themselves (The word transsexual is an outdated term and is typically not used by transgender individuals who have undergone sex-reassignment surgery. From this point on in this paper, the phrase "realignment surgery/reassignment surgery" will be used in its place). Non-binary is someone that doesn't identify as male or female but somewhere in between this spectrum. Genderfluid is when an individual fluctuates between genders, and agender is when an individual does not identify as having a gender (Human Rights Campaign 2019). The previous list does not include every gender identity, but it does include the identities that are more common and are relevant to this paper.

Sexual Dimorphism

The following information will explain different methods of identifying sex. However, before explaining those methods, it is important to understand sexual dimorphism and its importance in forensic anthropology. Sexual dimorphism is the difference between males and females of a certain species. The common differences are size, shape, and color. With humans, the differences are seen with size and shape but not color. The facial features can be an indicator of sexual dimorphism in humans. Though this may be more difficult to observe in younger children, by the time individuals reach their teenage years, they start to show more differentiation between males and females (Samal 2007).

The face though, is not the only area that can show sexual dimorphism in humans. It can also be seen in both the stature and size of an individual. To elaborate, this relates to both the overall size of the individual as well as the size of the long bones. Sexual dimorphism can be related to the division of labor in an evolutionary view (Ruff 1987). Evolutionary forces, in response to our changing needs as humans, can change the degree of sexual dimorphism seen within a population. Ancestry is important when looking at dimorphism for two main reasons. One is that if you can identify ancestry, it allows the researcher to have a better understanding of what method to use when they identify sex. The second reason is that if you cannot figure out the ancestry, the forensic anthropologist has a higher chance of misclassifying sex based on incorrect information about ancestry.

Considering the area that the remains are found is important. Equally important is looking at the context for why the remains are in that location. An example of why the location of the remains is important is as follows. The Southern border of the United States and Mexico is a highly trafficked area. There are individuals that cross the border to the United States and then pass away during their journey. When a body is discovered, the process of identification and context of death is important. This information can help the forensic anthropologist in knowing what methods of identification are correct, and therefore will assist in providing the correct

information about the remains. Hispanic people tend to be smaller in stature than those of European and African ancestry (Spradley 2008). In some cases, Hispanic males were being misidentified as females due to current metric analysis when looking at stature (Christensen and Crowder 2009), (Spradley et al. 2008), (Bazen 2017). The skeletal structure for other techniques did not present the same findings of the individuals being males (Spradley 2008). Dimorphism in the Hispanic population is less significant than in some other ancestral groups when looking at stature.

The purpose of understanding dimorphism and the difference in ancestry is to make sure that proper identification takes place occurs. There is a need for new methods when looking at sexual dimorphism and other changes among different ancestral groups. Most of the current methods are only reliable for white males, but this is changing with more modern methods. However, not all demographics are represented at this time.

Methods

Sex Identification Methods

When trying to assess sex from human skeletal remains, there are different methods that can be used as well as different bones or characteristics that are focused on. The Phenice (1969) method involves looking at the pubis area, specifically the ventral arc, subpubic concavity, and medial aspect of the ischio-pubic ramus (Phenice 1969). These three traits have varying morphological differences between males and females. The Phenice (1969) method is completely non-metric, which means that there are no measurements taken, and it is up to the observer to make the determination. The Phenice (1969) method has been shown to be accurate, but when using this method, the observer can have difficulty, as the pictures and descriptions in the article are not clear. A modification of the Phenice (1969) method was done by adding definitions and more levels of difference to help with observer error. The modification article Klales (2012) gives descriptions for each trait and how to scale them as male or female. This article is different from that of the Phenice (1969) article as it gives a more in-depth description of the traits. This is important when trying to identify sex because if there is a very broad description and there are only a few pictures to guide a researcher to an identification, then there is a larger rate of observer error. The Klales (2012) method is able to help lower the observer error by giving more specific examples of the possible variations.

The following is a breakdown of the Phenice (1969) method. When looking at the ventral arc in females, there is a noticeable vertical crest or arc on the bone, while in males, there is only a slight edge formation. When looking at the subpubic concavity, the focus is looking at the anterior side of the ischio-pubic ramus to see if it is concave or convex. Males have a broad and convex shape, while the females have a concave shape. Lastly, one would look at the ischio-pubic ramus from a medial view to see if the bone is pinched, which indicates female or if the bone has a broader/wider area, which indicates a male. These characteristics are helpful when trying to identify an individual's sex if the pubis is present. If it is not present, there are other methods available for sex identification.

If there is a skull present when attempting to make an identification, there are certain characteristics that can be used to identify whether the remains are those of a male or a female. The Walker (2008) method is also non-metric, but it has a few more traits than the three used in the Phenice (1969) method. Walker (2008) developed a method using the following skull traits: mental eminence, orbital margin, glabellar area, nuchal area, and mastoid process. These observations are reported on a scale of 1 being the lowest and 5 being the maximum amount. After adding the scores and inputting them to the formula developed by Walker (2008), the findings should give a result of whether the remains are male or female. The skull is likely a female when the score is less than three and likely a male when the score is three or greater. These results are only valid for English/American skeletal remains (Walker 2008). When the mental eminence, a point on the mandible, has a slight expression, it is more indicative of a female, while a maximum expression indicates a male. Orbital margin involves the analysis of the supra orbital ridge to determine if it has a small point or more of a broad protrusion, where the small point is lower on the scale. The glabella is the shape of the supra orbital ridge from a side view, and a larger indentation is a male feature. When looking at the mastoid process, a longer and larger process is associated with a male. The nuchal crest is located at the occipital bone, and a smooth area indicates a female, while a notch indicates a male.

When developing a biological profile, there are aspects that need to be considered in order to identify and understand the context of the remains. Creating a biological profile includes sex, but it also includes age, ancestry, stature, and other anomalies that may help with a positive identification of the remains (Ousley et al. 2009) (SWGANTH Sex Assessment). The problem when looking at these is that most of the research out there has been done on white individuals, and those individuals have primarily been male. There are more cases being conducted involving individuals of other ancestral groups and sexes. This is important when making a biological profile because if the researcher uses a method that is inappropriate for an individual of their ancestry or sex, the results may be flawed. Every human is different, which means that the method used for determining who someone is may have to be altered in order to fit the characteristics of the individual under study.

One example of this is in the Spradley (2008) article. In this article, Spradley is creating a method for identifying Hispanic individuals. Hispanic is defined in the article by the United States Census as people coming “from Mexico, Puerto Rico, Cuba, South and or Central America or other Hispanic/Latino Origins” (Spradley 2008). A problem brought up by the author is that the geographical regions associated with this cultural term of Hispanic does not mean that the individuals have similarities in their biological and structural make up. When creating a biological profile, different methods may be used, such as some mentioned in this article. An issue that the author has with this is that very few studies have been done on Hispanic remains. With Hispanics being a large population from varying demographic areas, it is difficult to create an accurate biological profile for a Hispanic individual, and they may be misclassified based on the current methods for individuals of other ancestries. If more research is not conducted on these individuals and a narrowing of the group is not created, there will continue to be problems with correctly identifying individuals from these areas (Spradley 2008).

Another problem with trying to identify sex is mentioned by Ubelaker (2012), who discussed the possibility of finding evidence of an individual having a child based on their

skeletal remains. In this article, Ubelaker (2012) is looking at previous research that claimed that when looking at a human pelvis, one can see if the individual had been pregnant and, if so, give a range to how many children they had. In Ubelaker's (2012) article, he refutes this theory and the actual research that claimed to prove this aspect. Ubelaker (2012) and De La Paz (2012), however, prove that the methods and techniques talked about in the paper are not supported by any scientific data.

Determining sex by looking at bone morphology can only be done after a certain age. When looking at soft tissue, sex can be seen at birth or before in most cases, however, when looking at the bone, it is many years after birth. During puberty, some bones in the skeletal system change, these changes include skull formation and pubic bone changes (Brooks and Suchey 1990). The widening of the pubis in females happens during this age to allow for childbirth. The differences allow a forensic anthropologist to identify sex. This creates a problem for trying to identify sex or gender in anyone of a young age or anyone who is early in their pubertal development.

Gender identification is in no way a new scientific practice, but the media has brought more attention to this social concept in recent history. Sex identification, if the material and resources are available, is a routine identification for a forensic anthropologist. While gender identification is a social construct and is not easily identified. Even within the LGBT communities, there are problems with understanding one's identity (Mills 2006). Since gender is both a personal identification and a cultural aspect, it cannot be estimated from skeletal remains.

Reconstruction

When looking at skeletal remains by themselves, it can be hard to imagine what the individual looked like prior to death and decomposition. A forensic anthropologist's job is to create a forensic or biological profile including sex, age, ancestry, and other useful attributes or anomalies. While a biological profile is important and the only way to identify a set of remains, if there is a possible identification and/or a way to get a photograph/image to the public, someone may be able to present information regarding the remains. This is where reconstruction of the cranium and facial features can be useful in an investigation. The problem with reconstructing the facial bones is that it may it may only indicate their sex and not their gender. This could be represented by hairstyles, makeup, facial piercings, facial hair, or any other modifications to the soft tissue that would not be present on skeletal remains.

A method that can be used by forensic anthropologists to try and determine what an individual looked like is creating a 3D reconstruction of the tissue and muscle of the skull. This process can be done with electronic databases that allow you to input data or it can be done using clay on the skull or a replica skull. The process of applying markers to the skull is done by trying to figure out the possible age, sex, and ancestry of the individual first, once this is complete, there is a chart that allows the researcher to create foam markers with the approximate depth of the tissue. Once this is finished, clay is added to match the depth tissue markers. Then a process of artistic and educated assessments goes into the reconstruction which leaves a 3D rendering of a possible identity (Tyrrell 1997). The problem with this is that many tissue deformations, additions, or modifications are not always represented on the bone.

Another process that can be done when trying to reconstruct a face to go with the skeletal remains is supra imposing an image on the skull to see if traits and markers line up (Austin-Smith, 1994). The process looks at multiple views of the skull including a lateral and profile view. This can be used to rule out possible individuals or give a possible identification. Using morphological traits can also be useful if someone has pronounced maxillary bones, it creates a defined check area that would be present on the bone. While some facial markers can be helpful, others, such as the shape of the nose, may not be as helpful since the structure of the nose is a genetic trait. The shape and tissue area on the nasal bone does not relate to skeletal markings.

A focus for a forensic anthropologist is to identify the individual(s). While this is their duty, law enforcement and other groups are important in this operation. While analyzing skeletal remains, forensic anthropologists create a possible profile for the unidentified person. Other agencies can use the biological profile to screen potential matches or reference the report against an item found on or near the individual in order to accurately identify them. Working together as a team allows for a complete profile. If a certain item is found with the remains, it may be useful to law enforcement agencies in identifying the person. In looking at the information that a forensic anthropologist can give law enforcement, some of this information may include unique personal markings or as much about the remains as possible in order to narrow down a possible match. This information is crucial. Unfortunately, it can only be as accurate as the information that was filed or recorded about the individual before they died or went missing. This also means that someone's self-identification can be different than what is on their forms of documentation.

Self-reporting

Measured or biological stature is the measurement of the remains in order to estimate the stature of the individual. Forensic stature is what is present on an identification card or other supporting documents (Ousley 1995). In terms of self-reporting, the scientific term used is forensic measurement, which means that the individual self-documents the information that they report on the identification card. Although this article is talking about stature, it relates to the question of how to differentiate between using medical information while still taking into account how the individual identifies themselves. Since stature is something that is self-reported on identification records, the issue of accuracy can be the same as that of government reported sex if the individual is not able to use their chosen identification. The article also mentions that even if health information is documented by a professional, it does not always mean the information is more accurate than the information given by the individual and vice versa. The information on an identification card can be crucial and incredibly beneficial to an investigation. The common categories found on an identification card are age, sex, height, and weight. These categories are important for a forensic anthropologist to find as they help to build the biological profile and are used in a report.

When filling out paperwork for an identification card in Nebraska, you are given a form to complete. This form asks for the information that is required for the identification card as well as other personal information. According to Professional Transgender Resource Group. (2019), an individual may change their sex on their driver's license only after going to a doctor and having the doctor fill out the required paperwork. For some, this process may be easy, but for

those without insurance or the appropriate physical means, they may not be able to get this paperwork completed. According to the Department of Motor Vehicles website, in New York, a person can only change their sex on their documents after receiving a 'sex-change' operation, and they must provide the proper documentation associated with the procedure. In California however, the approach by their Department of Motor Vehicles is quite different. According to their website, an individual can mark male, female, or non-binary down on their identification cards with no necessary documentation. This means that the person has the control to self-identify as they deem appropriate (California Department of Motor Vehicles 2019).

There are problems with the inconsistencies of how states allow people to identify themselves on their identification cards. There are two main problems with the inconsistency. The first is using the word gender versus using the word sex on a license. While in some cases, this difference would go unnoticed, for those that it does effect, the two would be different for others who do not identify as their biological sex (Herman 2013). This information would not change the forensic anthropologist's report, but it may be significant for other parties involved. For example, it would be important for law enforcement because when looking at a missing person's report, they need an accurate biological profile. If the gender or sex is different in a legal database than what is in the biological profile given by the forensic anthropologist, this could delay identification. With states having their own regulations for how someone can identify on an identification card, it is important for law enforcement to understand where the remains are found. This is where taphonomy would be important because knowing where the remains have been and what happened to them plays a crucial role in the investigation process. Driver's license and identification cards are not the only documents that could cause a problem for proper identification if looking at sex and gender. Any other local, government, or work-related identification cards that contain these criteria could cause problems for proper identification. Also, the choices on these documents may not relate to the individual if they do not identify within the given choices.

When an individual in the United States gets pulled over, the officer generally asks for their license, registration, and proof of insurance. This is a routine request, and for most people complying with this request is not a challenge. For an individual in the middle of a transition or for an individual that dresses and acts as a different gender then listed on their identification card this can create confusion or extensive explaining. Depending on the state, the ease, and cost of updating a state ID, it can be a challenging process. Since this process can be expensive and have difficult challenges, an individual may not have their ID corrected to their gender. If they are in a transition period or have not had the chance to update their identification records this would create a problem with connecting the individual and the ID.

Using medical records can be useful in matching remains to an individual. The problem with medical records is that they are only relevant for the last time the individual went to the doctor. A person who dresses or socially relates to a different gender would not need medical documentation to do so. This means that the medical records would not have mention of a possible change in gender. If an individual has received a realignment operation or is in the process of transitioning, this would be noted in a medical file. The process of having medical records containing information about transgender individuals is different than individuals who are not. An example of this is when a male transitions into a female. Even after the proper

surgical procedures have been completed, the individual is still left with a prostate (Deutsch 2013). This leaves a significant problem in medical records. If the records only relate to the individual as a female, future doctors may not think to look or ask about symptoms of prostate disease. Deutsch et al. are developing processes to track these changes in the current electronic health records (Deutsch 2013). The process of tracking all changes in health records is important for current medical professionals because as it allows them to properly understand the patient's history, but it also allows forensic anthropologists and/or law enforcement to make a more accurate identification.

Surgical procedures and Implants

Sometimes skeletal remains will have other items associated with them, whether that is personal items, medical implants, or other items. When looking at these items, it can give possible clues to the identity of the remains. If the remains are shown to be related to materials associated with the remains, this can greatly enhance the ability to accurately identify the remains. After figuring out the biological profile of the individual, then the forensic anthropologist can look at individuating factors that can be useful in trying to help with a positive identification. Some of these possible factors are medical implants, or other devices can be beneficial in a few different ways. One benefit of these medical implants is if the device has a serial number. The serial number can be tracked, and in some cases, can help correctly identify the individual or at the very least narrow down the possibilities. Sometimes screws and other smaller devices will not have markings on them, which makes it impossible to track. In some cases, it can also make it hard to figure out whether or not they belong to the remains (Wilson 2011).

An individual who has undergone a sex change may have implants surgically placed. With a sex reassignment procedure, there are a few different types of surgeries. An individual going from male to female may have breast implants, but they may not have implants. This would depend on hormone therapy and other considerations (Leonard 2019). If breast implants were found in association with a male skeleton, a possible explanation could be that this individual is someone that has had sex reassignment surgery. With a female transitioning into a male, depending on the type of procedure done, an implant can be used to form male genitalia (Toro 2013). Another type of prosthesis is used to create testes (Toro 2013). If either of these implants are found with a female sex skeleton, a possible conclusion would be that the person had sex reassignment surgery.

The material that permanent implants are made of is different depending on its purpose, but it is generally not biodegradable. With this being the case, these objects can be found with skeletonized remains once all of the tissue has decayed. A researcher cannot justify the absence or presence of an implant as a certainty that the individual was or was not a transgender individual or someone that has had a sex reassignment procedure. This is just another example of why forensic anthropologists should focus solely on identifying the sex of the remains. While any implants should be noted in the remains, as it could be useful in identifying the person, the identification of gender should be left to law enforcement officials. Any modification process that only involves the soft tissue would not show up on the skeletal remains. If a forensic anthropologist is looking at skeletal remains, they would only be able to identify what the

skeletal material can represent. This is important for a person who has undergone a sex reassignment operation because they could be listed as a female on all current forms of identification, but the report would suggest that the individual was a male.

In the article written by (Shiel 2018), it talks about sex and gender. The main focus was on devices or procedures that can be done to alter the appearance of an individual. Plastic surgery is simply the reconstruction or remodeling of a certain area or areas (Shiel 2018). Some of these procedures solely affect the tissue and skin, while others may reshape the person's bones. Procedures that reshape bones would leave marks on the bone. As mentioned previously, some states allow for a person to legally document their gender without the proper paperwork from a doctor or without having to have a physical surgery. In some cases, people will have surgeries, but as with many medical situations, it is something that usually is not done all at once. If an individual chooses to have a reassignment surgery, sexual characteristics are part of the change. A person may also choose to change their facial features in order to recreate some of the differences in facial morphology between males and females. If the facial changes are based solely in the tissue and do not affect the bone, then forensic anthropologists should not focus on this as this would not be seen in the skeletal remains and therefore would not be noted by forensic anthropologists. If the reconstruction has affected the bone, then this evidence should be taken into consideration by the forensic anthropologist.

Ancestry is important for several reasons, one is that once ancestry identification is done, a correct procedure can be determined for measuring remains as well as looking at the sexual dimorphism among that group. The second reason is that narrowing down the ancestral group allows for a narrowing of the missing persons list. Lastly, is that cultural aspects can be observed to figure out different practices and beliefs. Gender fluidity, or transgender beliefs, may be allowed in some cultures, but not allowed in others. Some cultures have terms such as two-spirited (Indian Health Services), which refers to a person that is biologically one sex but is accepted culturally as the other sex (Matthews-Hartwell 2017). In these cases, they take on the roles and responsibilities of their identifying gender. When looking at remains and trying to figure out who they are, the ancestry of the person is important. You can only figure out possible cultural aspects if you know where the person comes from.

Depending on where a person is located, cultural beliefs, and the means available to them, the ability for them to have realignment surgery may or may not be possible. The Canner 2018 article about transgender surgeries in the United States, talks about the cost of these surgeries for the individuals who undergo them. It also expounds on the age in which people undergo these procedures. In the cases studied, patients were in between their late 20s to early 40’s when they underwent a sex change operation (Canner 2018). The article also mentions that many of these individuals had to pay for the procedure out of pocket because health insurance would not cover the procedure. With this being the case, it can be inferred that although individuals may associate with a certain gender, they may not be able to have the proper procedure to align their gender immediately. Because of this, transgender individuals would not identify with their biological sex, and therefore may not have the proper identification showing that they identify with another gender. This reiterates the fact that forensic anthropologists cannot focus on the gender of the individual but must focus on the physical evidence on the bones.

Analysis

A Forensic anthropologist's job is to create a biological profile in order to identify or exclude a possible individual. When creating a biological profile, a forensic anthropologist should only use physical evidence in their decision and not use bias or personal opinion. Sex is a trait that is discernible in most cases and has a general finding of either male or female. For this aspect, forensic anthropologists should only report on the sex of an individual. The importance of implants, other devices, or objects that may lead to a conclusion or partial conclusion of one's gender should be noted in the report as a helpful trait in identification. Law enforcement, or other agencies that use the forensic anthropologist's report, can look at the report and the evidence for the individual possibly identifying as a different gender to help them with a positive identification.

The research on transgender and non-binary individuals in the forensic anthropology and criminal justice system is small. This could be because this group of people is a minority and underprivileged group of individuals that it is too hard to study or for any other reason. Media plays a large role in public opinion, and this can be good or bad for different groups of people. When talking about transgender or non-binary individuals, there can be confusion in the public. When a public media source challenges the publics' opinion on this type of issue it can create a positive outlook for that group (Bearman 2016). There are reports that there are over 700,000 transgender individuals in the United States (Bearman 2016), and although this is a small number compared to the overall population in the United States, it is a significant number of individuals that have the potential for needing to be identified by a forensic anthropologist. Transgender individuals are sometimes targeted for violent crimes and hate crimes, because of this it is even more significant that forensic anthropologists know how to identify an individual that may be transgender (Forbes 2013). The use of media to shine a light on this underprivileged group challenges the biological profile by saying there are more than two sexes.

When trying to identify sex in an individual based on the Phenice (1969) method, the forensic anthropologist has to analyze the score that is resulted from the analysis of the bones. If the resulting score is a three, it is not always clear as to what sex the remains are. A score of three is seen as having both male and female characteristics but with neither sex's characteristics standing out. (Bearman 2016). This can be known as someone who is intersex, meaning that they do not fit into the biological binary system of male and female (Marquez 2019). This can create a problem when identifying a person, because intersex is not common, but does affect 1.7 percent of babies, and right now there is no good way to classify these individuals in the forensic anthropology setting or in a legal document setting such as birth certificates (Marquez 2019). If the forensic anthropologist cannot give an accurate description of whether the remains are male or female, the number of missing people to compare the remains to is significantly larger than if they are able to narrow down the possibilities. Female characteristics are the blueprint for the skeletal system (Bearman 2016.) This is referring to the fact that when the body begins developing, it starts off as a female and then either transitions into a male or stays as a female. The body can also revert back to female morphological traits. This can be seen by looking at a male jaw that has lost too many teeth, the jaw will shrink into a female's size jaw (Bearman 2016).

Conclusion

The purpose of this paper was to state the relationship between sex and gender and the role that it plays in trying to identify individual remains. With sex being a physical trait seen in the morphology of the bones, and gender being a social construct, it would be good practice for forensic anthropologists to only report the physical evidence as it is given to them. It is important to have an open understanding of sex and gender as a forensic anthropologist and to be able to work with local officials in relating the facts of the case. If the discovery of gender is needed, this is the responsibility of law enforcement. While television, movies, and stories depict the identification process of remains as simplistic and easy, the articles and research used in this paper prove that to be incorrect. The process requires many different steps and the use of different methods in order to properly identify the individual.

While a forensic anthropologist's job is to use an unbiased approach to the physical remains, law enforcement, and other agencies can use other evidence to come to a positive identification (Passalacqua and Pilloud 2018). A Forensic anthropologist should solely use physical evidence in the creation of a biological profile in order to aid in identification. With that being said, if there is evidence that the individual may have been non-binary, transgender or align with any of the above mentioned, it is important for a forensic anthropologist to include this evidence in their report as to best aid in the identification process.

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