



USAID
FROM THE AMERICAN PEOPLE

USAID/MEXICO

JUSTICE AND SECURITY PROGRAM

QUARTERLY REPORT – OCTOBER - DECEMBER 2010

USAID/MEXICO

JUSTICE AND SECURITY PROGRAM
PRELIMINARY REPORT –DECEMBER 2010



A Subsidiary of Coffey International, Ltd.

Management Systems International

Corporate Offices

600 Water Street, SW
Washington, DC 20024



Contracted under ENGAGE IQC DFD-I-00-08-00072-00 Task Order No. 05

Pursuant to Section D of the Task Order Contract

DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

Table of Contents

Executive Summary	5
Program Overview and Highlights.....	7
Detailed Results.....	14
Federal Level.....	14
All Target States.....	17
Target States.....	21
Baja California.....	21
Chihuahua.....	25
Durango.....	29
Hidalgo.....	32
Morelos.....	34
Nuevo Leon.....	37
Oaxaca.....	42
Second-tier states.....	46
Puebla.....	46
Phase out states.....	47
Coahuila.....	47
Federal District.....	47
Mexico State.....	48
Michoacan.....	48
Tabasco.....	49
Quintana Roo.....	49
San Luis Potosi.....	49
Sinaloa.....	50
Sonora.....	50
Annex 1. Success Story.....	51

Acronyms

AJC	Alternative Justice Centers
AFI	Federal Investigation Agency
ANCPC	National Association of Citizen Participation Councils
CEJA	Justice Studies Center of the Americas
CENEVAL	National Evaluation Center for Higher Education
CNDH	National Commission for Human Rights
CONATRI	National Commission of Superior Justice Tribunals
CONAVIM	National Commission to Prevent and Eradicate Violence against Women
CONSEGU	National Committee for Citizen Participation in Public Security
CPCs	Citizen Participation Councils
CSOs	Civil Society Organizations
DIF	Integral Family Development
FEVIMTRA	Special Prosecutor for Violent Crimes against Women and Trafficking in Persons
FUNDAR	Research Center/ Centro de Análisis e Investigación
GoM	Government of Mexico
HR	Human Rights
ICE	US Immigration Customs Enforcement
INACIPE	National Institute of Criminal Science
INEGI	National Institute for Statistics and Geography
INDESOL	National Institute of Social Development
INMUJERES	National Women's Institute
INSYDE	National Institute for Security and Democracy
ITESM	Technological Institute of Advanced Studies of Monterrey
MSI	Management Systems International
NGOs	Non-Government Organizations
NITA	National Institute for Trial Advocacy
OSI	Open Society Institute
PGJ	State Attorney General of Justice
PGR	Attorney General of the Republic
PMP	Performance Measurement Plan
RENACE	Non-Governmental Organization
RFP	Request for Proposals
SETEC	Technical Secretariat of the Criminal Justice Implementation Commission
SEDESOL	Secretary of Social Development
SEP	Secretary of Public Education
SIEDO	Assistant Attorney General for Special Investigations and Organized Crime
SSP	Secretary of Public Security
TA	Technical Assistance
TiP	Trafficking in Persons
ToT	Trainer of Trainers
UAEM	Autonomous University of Morelos
UEIDMIO	Special Unit for Research on Child Trafficking, Undocumented and Organ Trafficking
UNAM	National Autonomous University of Mexico
UNODC	United Nations' Office on Drugs and Crime
USAID	United States Agency for International Development

Executive Summary

This quarterly progress report is broken into three main sections. The first provides a Program overview and highlights per component. The second section provides detailed results per state and sub-component. The third section includes Program management issues, including the new Program focus and objectives, key meetings between USAID and Program officials, new leadership and the pending contract amendment.

It is anticipated that by the time the Q2 report is prepared, the Program will have signed the pending contract amendment, which will concretely establish the new Program objectives, results framework and performance measures. The Program looks forward to the development of new indicators that will better measure outcomes and impact of activities, and that will better serve new Program objectives. It is worth noting that the majority of existing quarterly indicators included in the report are output rather than outcome performance measures. Annual indicators are more impact/outcome related performance measures.

This quarter, a total of 212 events took place. 54 technical assistance, 87 training, 34 grant monitoring activities, 23 coordination meetings, 19 conferences/seminars, and 14 sessions dedicated to the development of training material. Of notable mention this quarter, the Program is pleased to report the following:

Component 1 – Federal and State Level Implementation of Criminal Justice Reforms

Adherence to the Mexican Federal Constitutional Reforms

- ✓ Successful completion of field study to monitor reform implementation in Chihuahua, Morelos, Mexico State, Oaxaca and Zacatecas. The final report will be completed by April 2011.
- ✓ The Program assisted the Oral Trials Network in a series of discussion seminars aimed to analyze the draft federal Criminal Procedure Code prepared by the Technical Secretariat of the Criminal Justice Implementation Commission (SETEC). Program experts also reviewed and prepared recommendations that were developed during the seminars for submission to SETEC.

Institution Building and Rule of Law

- ✓ Key institutional strengthening activities were carried out in Baja California and Nuevo Leon related to the development of standard operating procedures (SOPs) for state police forces.

Judicial Exchanges

- ✓ A total of 653 justice sector officials out of an annual target of 7,000 were trained in Q1. Of them, 232 were women and 421 were men. These individuals work in seven states and have received various types of training including: oral litigation techniques, initial hearings, hearing simulations, one-on-one coaching, preservation and conservation of crime scenes; introduction to the new criminal justice system (including modules in anti-corruption); and skills development for train-the-trainers.
- ✓ As part of the Program strategy to set the ground for future sustainable reform implementation, the Program assisted in the script development and recording of an educational video on oral trials for judges and public defenders.

Pre-Trial Case Resolution Alternatives

- ✓ 17 Alternative Justice Centers strengthened through the training of mediators and conciliators in conflict management, alternative justice mechanisms, crisis intervention, mediation, study exchanges to observe best practices, managing family conflict, and pre-trial services, and technical assistance in obtaining ISO 9001 quality management systems certification. The AJCs are located in the states of Durango, Baja California, San Luis Potosi, Nuevo Leon, Tabasco, Michoacan and Coahuila.
- ✓ Four Alternative Justice Center's created through Program assistance, all located in Baja California.
- ✓ Technical assistance provided to state officials in Morelos for the creation and opening of the first pre-trial services unit for juveniles, not only in Mexico, but in Latin America

Component 2 – Justice Sector and Civil Society Organizations Promotion of Human Rights

Protect, Prosecute, and Prevent Trafficking in Persons

- ✓ The approval of Puebla's new law against trafficking in persons.
- ✓ Three ToTs were carried out to train 137 trainers within law enforcement agencies to identify and provide services to TIP victims and other serious crimes. Other training courses were also carried out with a total of 627 trainees in Q1.

Victim Restitution

- ✓ The creation of a Victims' Assistance Unit in Oaxaca.
- ✓ The training of 142 individuals - 122 women and 20 men - in a range of topics including: Critical incident management protocols and burn-out syndrome, and victim assistance.

Human Rights Training for Police, Prosecutors & Other Officials

- ✓ 22 officers trained in police administration and human rights.

Support for Human Rights NGOs

- ✓ The Program signed grant agreements with all 42 Program grantees, released initial payments (mobilization payments) and undertook first monitoring visits to ensure compliance with deliverables.

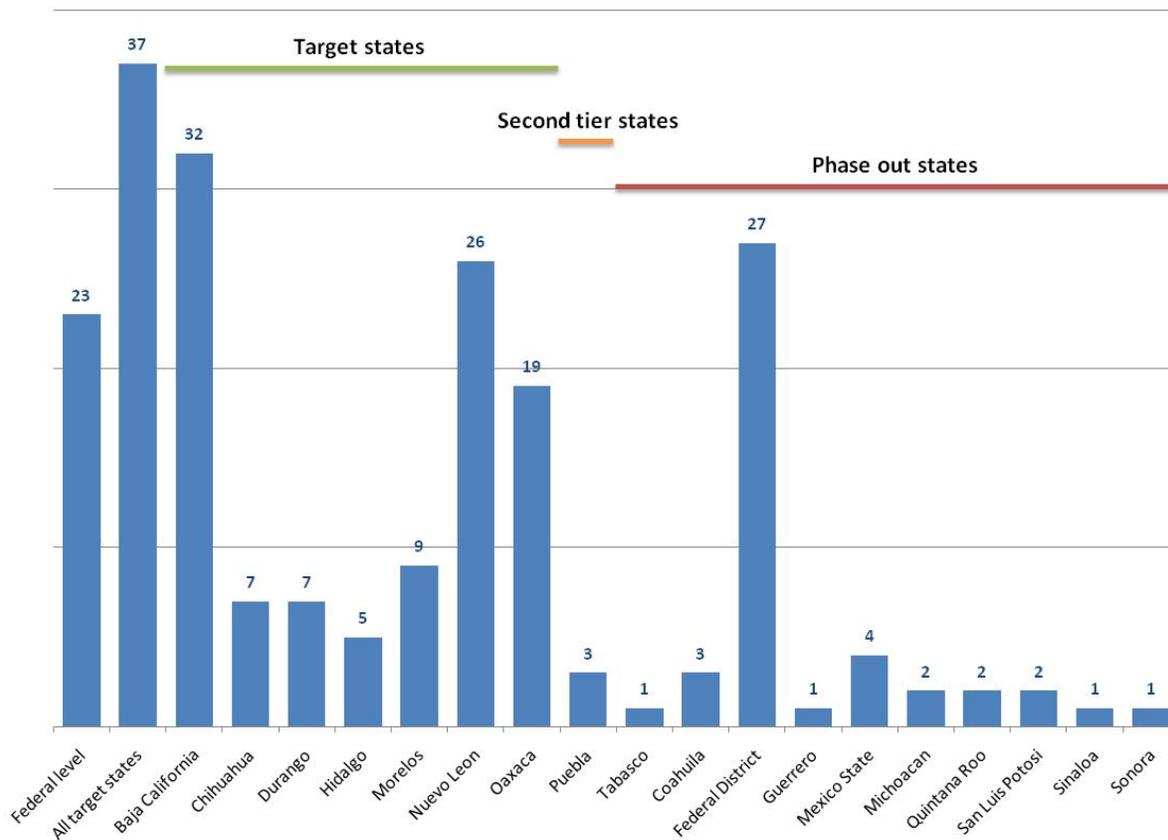
Support for Citizen Participation Councils

- ✓ The Program successfully carried out a multi stakeholder mapping exercise in order to have a comprehensive understanding about the main concerns in regards to public safety and human rights and the relationship that the citizenry holds with authorities.

Program Overview and Highlights

The graph below shows the number of events by state. Apart from activities that benefited all target states, Baja California had the most number of activities in Q1, followed by the Federal District (due largely to the grantee monitoring activities) and Nuevo Leon. In Baja California, activities carried out related to six sub-components, and in Nuevo Leon to seven. This implies that in these states, for Q1, a more comprehensive approach was achieved in the Program implementation.

Graph 1. Activities per state



From September 2009 to December 2010, the Program has trained 17,376 persons as indicated in the table below. The table indicates the number of trainees working in the respective states, and does not necessarily correspond to the location of Program training courses. Although the Program has trained individuals outside of the target and second tier states, this has not resulted in additional financial expenditures (e.g., travel, accommodation of trainees, etc). These expenses were not assumed by the Program.

The majority of trainees work in the Federal District (3,293) and Baja California (3,172) followed by Oaxaca (1,994), Hidalgo (1,499) and Guanajuato (1,262).

Table 1. Cumulative and quarter 1 training data

State	Sept 2009- Sept 2010	Oct-Dec 2010	Total
Federal District	2,575	718	3,293
Baja California	2,812	360	3,172
Oaxaca	949	1,045	1,994
Hidalgo	1,443	56	1,499
Guanajuato	1,260	2	1,262
Nuevo Leon	530	429	959
Federal level	849	68	917
Morelos	515	188	703
Durango	366	295	661
Jalisco	485	7	492
Zacatecas	355	4	359
Puebla	292	25	317
Michoacan	231	40	271
Coahuila	62	167	229
Aguascalientes	174	1	175
Tabasco	134	36	170
Mexico	25	120	145
Chihuahua	122	9	131
Queretaro	109	9	118
Chiapas	108	7	115
San Luis Potosi	32	74	106
Quintana Roo	45	47	92
Nayarit	58		58
Tamaulipas	39	6	45
Sinaloa	1	29	30
Sonora	4	17	21
Veracruz	10	3	13
Campeche	3	4	7
Guerrero	6	1	7
Tlaxcala	5	2	7
Colima	2	3	5
Yucatan		2	2

Baja California Sur		1	1
Total general	13,601	3,775	17,376

At the state level, the map below shows the number of trainees. The Program trained 3,775 individuals in 17 states, and the Federal District. In addition, 68 individuals from the Attorney General of the Republic (PGR) received training at the federal level. The largest numbers of participants were trained in Oaxaca (1,045) followed by the Federal District (718) and Nuevo Leon (429).

Map 1. Trainees per state and sub-component



- 133** 1.1 Constitutional Reform
- 653** 1.3 Judicial Exchanges
- 1,728** 1.4 Pre-Trial Case Resolution Alternatives
- 627** 2.1 Protect, Prosecute, and Prevent Trafficking in Persons
- 142** 2.2 Victim Restitution
- 22** 2.3 Human Rights Training for Police, Prosecutors & Other Officials
- 389** 2.4 Support for Human Rights NGOs
- 81** 2.5 Support for Citizen Participation Councils

The table below outlines the number and type of activities carried out per sub-component in Q1. Criminal Justice dominates the table both overall (59 activities) and in the number of trainings (39). Constitutional Reform had 18 technical assistance activities, most of them working sessions with officials for legislative reviews. Grant activities under this sub-component are reflected by the field work study to monitor the implementation of criminal justice reforms. CSOs also demonstrated a high number of grant activities, which were the monitoring of Program grantees to ensure compliance with project deliverables.

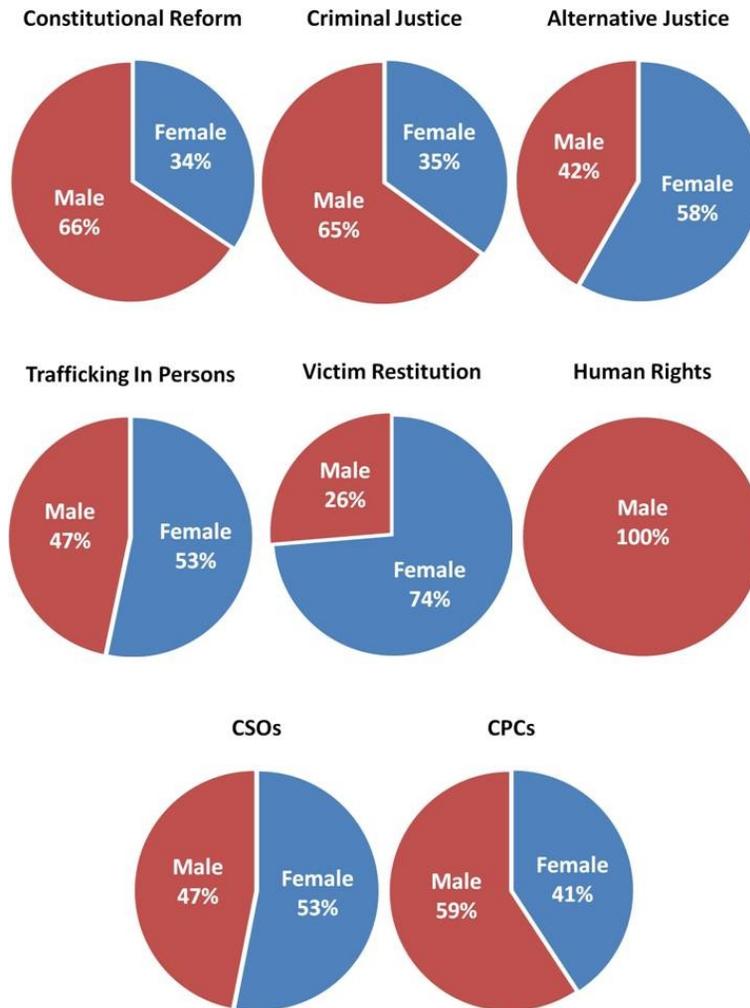
Table 2. Q1 activities per sub-component

Sub-component	Trainings	Technical assistance	Monitoring activities	Coordination Meetings	Development of training material	Total
Constitutional Reform	6	18	7	5	1	37
Institution Building	1	13		4		18
Criminal Justice	39	7		2	9	57
Alternative Justice	20	4		5	3	32
Trafficking in Persons	7	4		2		13
Victim Restitution	4	6		3		13
Human Rights	1					1
CSOs	7	3	26		1	37
CPCs	1		1	1		3
Total	86	55	34	22	14	211

The gender disaggregation by sub-component, as shown in graph 2 below, reflects the composition of the agencies and beneficiaries of the trainings according to cultural paradigms and gender roles in Mexico. For example, the majority of trainees in the following sub-components were female: Alternative Justice (58%), Trafficking in Persons (53%), and Victim Restitution (74%). In contrast, Constitutional Reform (66%), Criminal Justice (65%), and Human Rights CSOs¹ (100%) were dominated by men. Across the Program sub-components, on average 53% of trainees were female.

¹ It should be noted that the percentage on HR reflects a total number of 22 trainees.

Graph 2. Gender disaggregation by sub-component



Below are a few highlights during the October-December 2010 quarter with greater details provided in the following section.

Component 1 – Federal and State Level Implementation of Criminal Justice Reforms

- ✓ A total of 653 justice sector officials out of an annual target of 7,000 were trained in Q1. Of them, 232 were women and 421 were men. These individuals work in seven states and have received various types of training including: oral litigation techniques, initial hearings, hearing simulations, one-on-one coaching, preservation and conservation of crime scenes; introduction to the new criminal justice system (including anti-corruption modules); and skills development for train-the-trainers.
- ✓ The Program assisted the Oral Trials Network in a series of discussion seminars aimed to analyze the draft federal Criminal Procedure Code prepared by the Technical Secretariat of the Criminal

Justice Implementation Commission (SETEC). Program experts also reviewed and prepared recommendations that were developed in the seminars for submission to SETEC.

- ✓ 17 Alternative Justice Centers were strengthened through the training of mediators and conciliators in conflict management, alternative justice mechanisms, crisis intervention, mediation, study exchanges to observe best practices, managing family conflict, and pre-trial services, and technical assistance in obtaining ISO 9001 certification. The AJCs are located in the states of Durango, Baja California, San Luis Potosi, Nuevo Leon, Tabasco, Michoacan and Coahuila.
- ✓ Through technical assistance and training, four Alternative Justice Center's were created in Baja California.
- ✓ Content was developed for an e-learning course on the new criminal justice system, oral litigation techniques, criminal investigations, and basic mediation.
- ✓ Technical assistance was provided to state officials in Morelos for the creation and opening of the first pre-trial services unit for juveniles, not only in Mexico, but in Latin America.

Component 2 – Justice Sector and Civil Society Organizations Promotion of Human Rights

- ✓ The Program is pleased to report the creation of a Victims' Assistance Unit in Oaxaca. On November 27, the official opening of the Oaxaca Victims of Crime Assistance Unit (VAU) took place. The Center will operate on the premises of the office of the State Attorney General of Justice. The VAU provides legal counseling, as well as medical and psychological assistance to victims of crimes (TiP, rape, etc). This Unit was designed, developed and opened in two-and-a-half months, using the recommendations and technical assistance provided by the Program.
- ✓ In October, the Program participated in the third session of the Interdepartmental Commission to Prevent and Punish Trafficking in Persons in the Federal District. This third session marked the Committee's approval of the National Program to Prevent and Punish Trafficking in Persons.
- ✓ In November, the Program attended a ceremony in Puebla for the approval of the state's new law against trafficking in persons. This was a significant achievement after four intense months of technical assistance provided to the Puebla legislature.
- ✓ In December, the Program began working with members of the state congress of Nuevo Leon, including a representative from the State Human Rights and Social Development Committee of Nuevo Leon to analyze, streamline and reformulate criminal typologies related to TiP. The Program proposed the creation of a section of corresponding legislation on TiP victim rights.
- ✓ In Q1, the Program can report progress in training law enforcement agencies in two jurisdictions to identify and provide services to TiP victims and other serious crimes.
 - In October, the Program carried out three train-the-trainer workshops for law enforcement officers in Nuevo Leon (2) and at the Federal Level in the Federal District (1). Participants included officials from the State Attorney General of Justice Office of Nuevo Leon, the Attorney General of Justice of the Republic (PGR), the National Institute for Migration, the National System for Integral Family Development (DIF), and the Center for Guidance, Protection and Advocacy for Victims of Crime (COPAVIDE). These ToT workshops teach

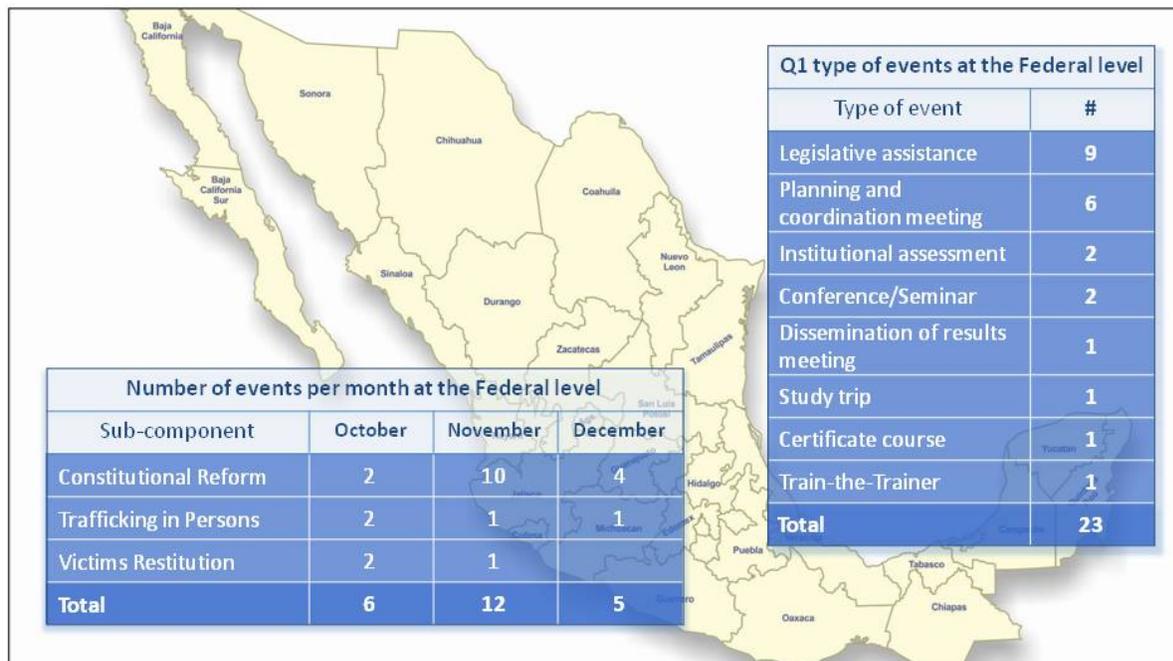
future trainers how to identify, assist and protect victims of TiP, while adhering to the framework of respect for dignity and human rights. This type of course helps to build the capacity of government institutions with responsibility in dealing with such crimes.

- In December, a certificate course began for PGR personnel on TiP and law enforcement. The course will be carried out until March 2011, and as such, results will be posted in the Q2 report.
- ✓ The Program trained 627 individuals - 344 women and 283 men – out of an annual target of 1,500 in TiP courses. These trainees work in the following states: Morelos, Nuevo Leon, Puebla and the Federal District. The trainings included train-the-trainer courses in Nuevo Leon on “TiP and Law Enforcement”, a workshop/discussion on human trafficking, a certificate course on TiP and law enforcement for the PGR in the Federal District, and the Blue Heart Campaign against TiP.
- ✓ Related to victim assistance, the Program has trained 142 individuals - 122 women and 20 men - including, prosecutors, forensic experts, other public officials, CSOs, journalists, teachers and the general public from the target states. Training sessions covered a range of topics including: Critical incident management protocols and burn-out syndrome, and victim assistance.
- ✓ 22 officers from the Baja California Attorney General’s office took part in a police administration and human rights training course organized by the Program. This five module course covered democratic reforms in policing, advanced police management and administration, ethics and responsibilities, community relations, and human rights. This type of course illustrates the role of policing in a democratic society and furthers the Program’s aim to strengthen law enforcement through improved standards per the new criminal justice reforms. The Program looks forward to increasing the number of justice sector officials trained to operate in the new criminal justice system within a human rights context. Please refer to Annex 1 for a related success story that was written for FrontLines.
- ✓ Related to courses in human rights, 389 representatives from CSOs have been trained in Q1. These trainees, 207 of which were women and 182 of which were men, worked in Baja California Sur, Chihuahua, Chihuahua, Federal District and Nuevo Leon. They received training on a variety of subjects, including: access to justice, criminal reform in Mexico City, rights of persons with disabilities, information workshop for program grantees in the preparation of progress reports, the right to nondiscrimination and the rights of persons with disabilities.
- ✓ The Program signed grant agreements with all 42 Program grantees, released initial payments (mobilization payments) and undertook first monitoring visits to ensure deliverables compliance.
- ✓ The Program is in the process of modifying the standard grant agreement with the ANPCP, with a key amendment being a reduction in the number of states being targeted from 13 to 6, and corresponding budget realignment. The Program is assessing this proposal and verifying that it is in line with the new Program objectives.

Detailed Results

Federal Level

During Q1, the Program carried out a total of 23 activities at the federal level related to constitutional reforms, TIP and victim restitution. Activities included: a seminar on “Information, statistics and judicial public policy”; an academic forum on trafficking in persons; a certificate course and a train-the-trainer course in trafficking in persons and law enforcement; and a training course for specialists in managing critical situations and burn-out syndrome. Below are selected highlights of federal level activities.



1.1 - Adherence to the Mexican Federal Constitutional Reforms

In October, representatives from the Supreme Court (SCJN), the Judicial Electoral Tribunal of the Federation (TEPJF), the Federal Judiciary Council (CJF), Mexican Association of Justice Administrators (AMIJ), Institute for Legal Research of the National Autonomous University of Mexico (IIJ/UNAM), Center for Economic Research and Teaching (CIDE), the Friedrich Naumann Foundation, and the Association of Mexican Statistics met to discuss public policy principles in the field of law enforcement. It was also an opportunity to exchange ideas and experiences on the implementation of public policies in the federal and state courts, and to propose alternatives for the planning and implementation of such policies for court modernization. This was a particularly relevant seminar, as there is currently a 16-month delay in the release of official data and statistics in Mexico, which has a direct impact on the Program’s ability to monitor the reform implementation.

Later that month, the Program participated in a focus group organized by the National Institute for Statistics and Geography (INEGI). The purpose of this focus group was to examine the current and future use of data collected on the justice sector through the National Information Sub-system of Government,

Public Security and Law Enforcement (SNIGSPIJ). The event, attended by academics and other intensive users of this data, encouraged a robust discussion on issues affecting the dissemination of information from INEGI, including: The need for more timely and frequent publishing of justice sector statistics, as there is currently a 16-month lag in obtaining such information; the need to harmonize data categories, as they are not in accordance with the changes made to the criminal justice sector; and the need for data and information protocols, so as to achieve consistency in the type of information received from states, and to improve the time required for processing and dissemination. The National Public Security Information System has carried out a similar exercise and plans on coordinating with INEGI to advance data collection through SNIGSPI. INEGI will convene similar meetings in the future to further coordination on this issue.

In November, the Program reviewed the recommendations submitted by academics from the Oral Trials Network (OTN), regarding the Criminal Procedure Code of SETEC. The Program received the recommendations on October 30, following three successful discussion seminars held in the Federal District, Nuevo Leon and Mexico State in September and October 2010. Several of the key recommendations addressed issues related to: The regulation of investigations according to the new criminal justice reform, the regulatory frameworks related to organized crime, alternative justice mechanisms, *Habeas Corpus*, precautionary measures, and recourses, among others. The Program met with representatives from OTN to review the final details of the document. The OTN distributed the report to a number of key stakeholders, including SETEC. In early December, SETEC shared a second version of the draft federal Criminal Procedure Code. The OTN is considering a response plan.

In December, the Program was invited to meet with the Technical Secretary of the National Security Council, to discuss the findings that the Program has obtained in monitoring the implementation of the Criminal Constitutional Reform in the states where the reform is already in force. The Technical Secretary had previously communicated interest in learning about the Program's progress in monitoring the implementation of the reform. The Program provided a brief introduction about the project, as well as the preliminary results that have been obtained. The presentation was well-received by the Technical Secretary, who was amply satisfied with the empirical evidence that the Program had gathered as well as the Program's work with the Criminal Justice Implementation Commission (SETEC). He reiterated that the Federal Government of Mexico fully supports the constitutional reform and requested further progress of the Program's implementation study following the scheduled January 2011 seminar.

In November, five officials from the Federal level of the SETEC participated in the third part of an advanced training course in litigation skills in Santiago, Chile. The objective of the training was to further strengthen participants' litigation skills in an oral accusatory system according to the new criminal justice reforms through an exchange with Chilean counterparts. This activity is particularly noteworthy for two reasons: 1) The selected participants have been trained over a sustained period of time on this theme as the introductory phase of this course took place in May 2010 in Chile. The intermediate phase was conducted as an e-learning activity over seven months and included 10 learning modules. This final and advanced component provided an additional key international exchange opportunity for participants. 2) This activity is an excellent example of the Program leveraging funds and encouraging collaboration with partners. Although USAID funded the first two portions of this activity, the third was entirely funded by the Center for Justice Studies of the Americas (CEJA).

2.1 - Protect, Prosecute, and Prevent Trafficking in Persons

In October, 59 representatives from the office of the Attorney General of the Republic (PGR) participated in a ToT workshop on TiP and law enforcement in the Federal District. This workshop gave participants

the tools necessary to prevent, detect and prosecute TiP, as well as to identify, assist and protect victims of TiP, adhering to the framework of respect for dignity and human rights. This type of course helps to build the capacity of government departments with jurisdiction over such crimes to appropriately handle cases.

In November, the Program met with officials from the Attorney General's Office of the Republic to advance discussions on a joint agenda of activities related to Trafficking in Persons (TiP). The following bureaus within the PGR were present: human resources, professional development, the Assistant Attorney General for Special Investigations and Organized Crime, and the Special Prosecutor for Violent Crimes against Women and Trafficking in Persons (FEVIMTRA) and the National Information and Analysis Center against Crime. Representatives from each bureau communicated their training needs to the Program. It was agreed upon that training would include the following components: law enforcement in TiP, specifically for research, analysis and field work; interviewing victims; and law courses. Additionally, it was decided that key staff from each bureau will become trainers of trainers (ToTs) -a group of experts- that will continue to train staff in issues related to TiP, thereby increasing the sustainability of the Program's activities with the PGR. To advance on the work achieved at this meeting, the Program will draft a comprehensive training program with input from each of the bureaus.

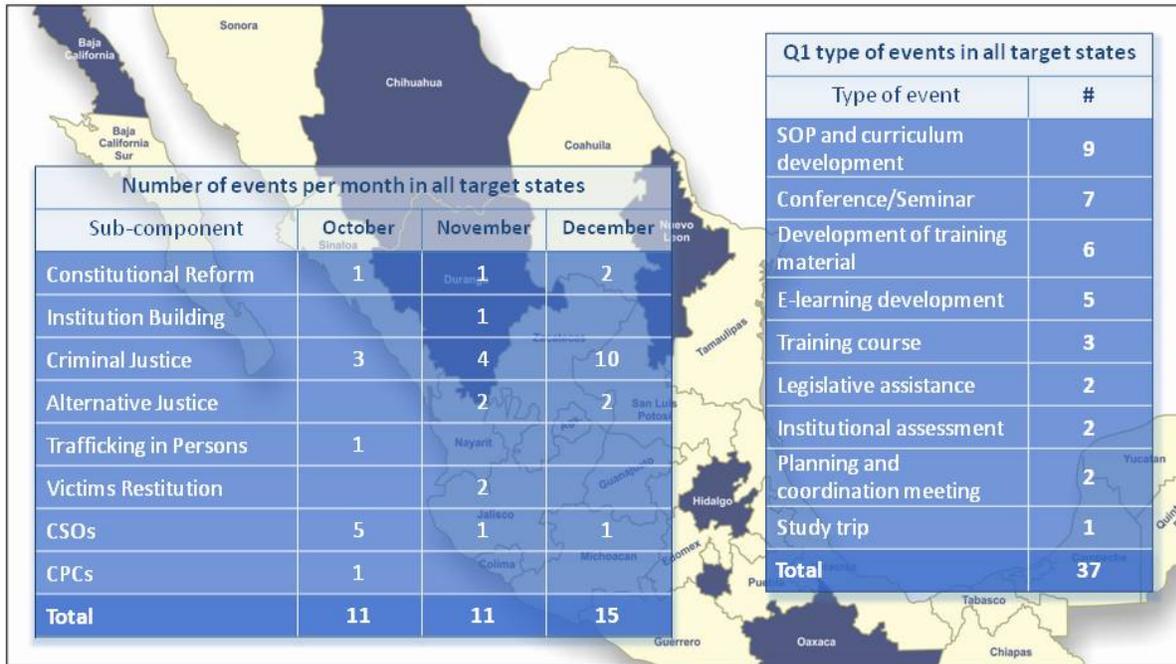
Based on this discussion, in December, the Program began a three month certificate course in TiP for 36 representatives of the Federal Attorney General's office (PGR). The course is designed to give participants the necessary tools to prevent and prosecute TiP crimes, as well as to identify, assist and protect victims, while adhering to the framework of respect for human rights. The objective of the course is to strengthen the capacity of the PGR to fight TiP.

2.2 - Victim Restitution

In November, the Program met with the National Commission to Prevent and Eradicate Violence against Women (CONAVIM) to advance strategies and activities related to the prevention and treatment of female victims of violence, as well as the punishment and eradication of crimes against women. The Program will provide technical assistance to CONAVIM, through the National Family Justice Center Alliance of San Diego, California (NFJCA), in the development of a manual on "how to start a family justice center". Work is already under way to create, translate, adapt and publish NFJCA's manual for Mexico.

All Target States

If a Program activity involves three target states or more and/or benefits all target states, it is categorized as an “All target state” activity. During Q1, the Program carried out a total of 37 activities that benefit all target states. Activities were related to constitutional reforms, criminal justice, alternative justice, TiP, victim restitution, CSOs and CPCs. In these activities, a total of 381 participants (188 women and 193 men) were trained in subjects such as: advanced litigation skills, the right to non-discrimination, project progress reporting, and the rights of persons with disabilities.



1.1 - Adherence to the Mexican Federal Constitutional Reforms

In December, the Program participated in a panel discussion of the 9th International Conference on Criminal Law at the Institute for Judicial Research in the Federal District. One of the central themes discussed at the event was that the incidence of criminal proceedings and the incidence of crime and violence is indirect and must be accompanied by social policies and prevention, as well as specific criminal policies. The conference also illustrated evidence that the oral trial system is achieving its main objectives. Over 350 participants attended the conference.

1.3 - Judicial Exchanges

In October, the Institute for Essential Skills for Lawyers (IDEA) and the Program delivered part two of train-the-trainer course on oral trial litigation techniques in the Federal District to 40 participants, including judges, public sector officials, lawyers, and academics, from Sonora, Durango, Hidalgo, Nuevo Leon and Mexico City. Participants were evaluated to ensure that they were ready to carry out training in their home states. Part one of the course was held in Nuevo Leon in March 2010.

Also in October, the National Commission of Superior Courts (CONATrib) and the Program delivered a course to 34 magistrates on the new adversarial, oral and criminal accusatory reforms in Ixtapa,

Guerrero. This seminar was particularly significant, as it was the first time that magistrates had come together from different states, including Hidalgo, Jalisco, Durango, Chiapas, Queretaro, Michoacan, Yucatan, Sonora, San Luis Potosi, Morelos, Tabasco, Mexico State and the Federal District, to discuss the new criminal justice system. The purpose of the seminar was to strengthen and broaden the knowledge of participants on the functioning of the oral accusatory system, as well as the scope of the constitutional reforms first established in 2008 and their implications on the criminal justice system. It provided participants with an opportunity to assess the new reforms, to see the effort required for their implementation, and the type of assistance that the Program offers to this end.

The Program co-sponsored and attended a conference on rule of law reform and the drug trade, which was held at Emory University Law School, in Atlanta, Georgia, from September 29 – October 1. Over the past year, Emory University's School of Law and the Law School of the *Universidad Panamericana* worked to establish a Mexican Institute for Trial Advocacy in support of Mexico's recent transition from an "inquisitorial" justice system to an "adversarial" system. The Mexican Institute was inaugurated on August 10, 2010 in Mexico City and began its first month-long training program on August 12. The conference was designed to explore the challenges to the development of rule of law faced by Mexico and the United States, as well as to provide support to the new Mexican Institute and to those working for rule of law reform in Mexico. The objectives of this conference were: To raise awareness about legal reforms in Mexico, the challenges they face, and regional implications; to foster collaborations between scholars in different fields, policy makers and practitioners in relation to rule of law issues in Mexico and the U.S.; and to provide Higher Education for Development (HED), an organization aimed at diversifying, expanding, and deepening the engagement of higher education in international development activities, and the Program -funded law schools and their partners, with an opportunity to develop strategies for supporting legal reforms through changes in law school education.

As part of the Program strategy to set the ground for future sustainable reform implementation, the Program assisted in the script development and recording of an educational video on oral trials for judges and public defenders in October. The Program ensured that the script included the necessary training components for judges and public defenders during a trial, according to the new skills and competencies required in the new criminal justice system. This type of activity will allow the Security and Justice Program to increase the number of individuals receiving training, particularly those located further away from the capital, thereby ensuring the sustainability of the reform.

In November, the Program began work on the content development for an introductory e-learning training course on the new criminal justice system. The objective is to develop training material suitable for distance learning to train justice sector operators who would not normally be able to participate in training courses, either due to distance or financial resources. This e-learning course will ultimately expand the number of operators that implement the new criminal justice system. The Program developed curricula for public defenders, prosecutors and judges, as well as a work plan calendar to track progress. To date, Program experts developed course content for investigations, intermediate hearings, oral trials, basic mediation, among others. Program experts worked on the creation of job profiles that define the skills, attitudes and values needed for these justice sector officials to properly litigate in the New Criminal Justice System.

The International Association for Court Administration (IACA) in association with the Caribbean Court of Justice as host judiciary, held a conference on court administration issues in Trinidad and Tobago from November 1 -3. Representatives from Federal Justice Administration Council, and judicial sector from Chihuahua, Morelos, Nuevo Leon, Baja California, Hidalgo, Tabasco, as well as the Citizens Justice Oversight Organization (*Observatorio Ciudadano de Justicia*) from the Federal District. This year's

conference theme, 'Access to Justice in Criminal, Commercial and International Courts and Tribunals', featured a number of relevant sessions for the Program including: Justice sector strengthening; criminal justice reform comparative analysis and pre-trial criminal procedures; access to justice; the future of international and regional tribunals; approaches to court administration; the development of Latin American rule of law; and alternative approaches to justice. The Program participated in a panel discussion on alternative approaches to justice and delivered a presentation entitled, "Alternative justice mechanisms and their impact on the criminal justice system in Mexico". The presentation provided an overview of the constitutional reforms in Mexico, the need for alternative justice methods, as well as the benefits of their application in states that have implemented the accusatory system. IACA facilitates networks of court administration-related professionals in order to achieve more global harmonization of standards for justice administration.



1.4 - Pre-Trial Case Resolution Alternatives

In November, the Program carried out internal preparatory work toward the development of guidelines both consistent with the new criminal justice system, and based on those contained in the International Covenant on Civil and Political Rights. Specifically, the Program developed materials and directives on the protection of human rights for operators of the new criminal justice system.

The Program reviewed the Inter-American Commission report on the right of access to justice for women with an aim to identify standard procedures to safeguard women's rights in the Criminal Procedure Code. This type of activity supports the Program's capacity to provide future technical assistance on the issue of women's rights and access to justice.

In December, the Program adapted training material for alternative justice methods for an e-learning course. This will be part of the e-learning course mentioned above on the new criminal justice system. This part of the e-learning course will provide basic training in mediation for justice system operators interested in conflict resolution, particularly for those involved in justice administration (e.g., judges, public prosecutors, public defenders, and police). This basic mediation course has been designed to take a participant 40 hours to complete and will include the following components: Conflict; alternative conflict resolution methods; tools for conflict resolution; history of mediation; models of mediation; the mediation process; step-by-step mediation; and the scope and limitations to mediation. To date, the course content has been developed but requires review by an expert in the development of e-learning course to ensure that it has been prepared and reflected in an appropriate manner. Pending is the recording of lectures and the drafting of the step-by-step mediation process.

2.1 - Protect, Prosecute, and Prevent Trafficking in Persons

In October, the Attorney General of Justice (PGJ) and the Program organized a regional attorneys' general forum in Puebla in order to present the TiP program and to analyze the current state of affairs of TiP in Mexico. In addition, the forum was an occasion to establish the foundation for coordination mechanisms among state attorneys. 16 participants attended this forum from Hidalgo, the Federal District, Morelos, Mexico State, Tlaxcala, Puebla, Tabasco, Veracruz, Oaxaca, Tamaulipas, Guerrero, and

Baja California Sur. The forum was also attended by the Attorney General for the Military and the Attorney General of the Republic.

2.4 - Support for Human Rights NGOs

In October in the Federal District, the Program participated in a conference on the right to non-discrimination, discussing the theme: "Discrimination against people living with disabilities."

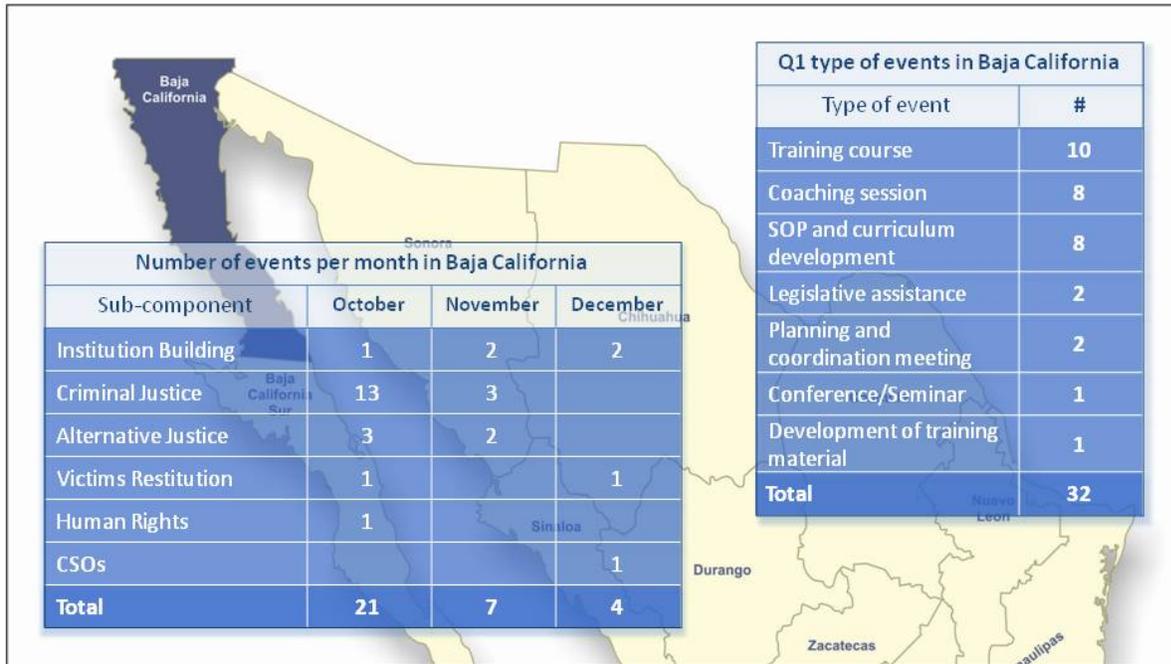
The objective of the discussion was to describe the themes and issues on non-discrimination and access to justice in the United Nations' Convention on the Rights of Persons with Disabilities to officials from the National Council for the Prevention of Discrimination and the Human Rights Commission

The Program finalized the technical assistance provided to a coalition of human rights non-governmental organizations (NGOs) in the drafting of a political statement to the Mexican Congress, which provides recommendations related to human rights and public security. The Citizens' Cooperation Center (*Centro de Colaboración Cívica*) had requested the Program's assistance in drafting the document, which highlights human rights concerns related to police forces, prosecutors, organized crime and penitentiary reform. In addition to reaching a consensus on the final document, the group discussed a dissemination and dialogue strategy. Of notable mention was the collaborative and cooperative working environment demonstrated by NGOs with differing human rights' objectives.

In December, the Program hosted a workshop for grantees in the Federal District. The Program communicated the essentials related to the monitoring, administrative and financial management of projects, as well as the requirements on producing technical reports and proper branding at events. In previous weeks, the Program developed monitoring systems to track the compliance of deliverables for grant recipients. Specifically, the Program developed grantee manuals, monthly, quarterly and final report templates, and milestone completion certificates.

Target States

Baja California



CONTEXT

The state continues to have a serious problem of violence, although the actual total crime rate (captured by INEGI surveys) and the reported rate generally show a slight reduction of 10%. The trend of executions rose by 64%, but at a slower pace than the national average and homicides related to organized crime fell by almost 20%. Executions in 2010 are lower by 15% from 2008. In 2008, 11.8% of the country's executions were committed in Baja California, but in 2010, this indicator fell to 4%. The Federal Government uses these figures as an example of a state in which society and government are reversing the trend of criminality (Alejandro Poiré, Technical Secretary of National Security Council).

In the last two months of 2010 there was a downward trend in executions. Last year, the state appeared in second place on insecurity and violence, and it is expected that it probably will fall to 4th or 6th place in 2011. Some 88% of executions in the state were committed in Tijuana, while in Mexicali there was only one, which helps the implementation of the new model in the judicial district of Mexicali exist without the pressures of high levels of violence. The remaining serious crimes reported decreased by approximately 8%.² Some 27.9% of victims in Baja California, which is the state with the second highest complaint rate, reported crimes to the authorities - almost double the national average (14.8%). This is a good indicator, since a higher proportion of complaints is usually due to increased confidence in the authorities. The perception of insecurity among the state's population fell by more than 15%.

On the performance index *Mexico Evalúa A.C.*, Baja California was ranked last among Mexican states.

² The reduction in the available figures is of 18% but this is without the figure for December 2010, which represents about 10% of the annual incidence, so conservative adjustment is made in the analysis.

The increase in executions was not offset by the ability of prosecutors' investigation and impunity for homicides rose from 74% in 2008 to 85% in 2009. Areas for improvement include increasing the effectiveness of law enforcement and the prison system, as well as the protection of human rights. Program actions have contributed to improvement in police performance, prosecution, decongestion of the areas of investigation as the new system is being implemented, and prison decongestion recorded during 2010.

Legislative Context

The state has approved the new Criminal Procedure Code in accordance with the Constitutional Reform of 2008, but it still needs to be brought in-line with international human rights instruments. Baja California is a state that started reform implementation in August 2010 and has the following legislation approved: The Attorney General of Justice Act, Alternative Justice Act, Public Defenders Act, Public Safety Act, Law on the Enforcement of Penalties and the Judicial Branch Act.

SUMMARY RESULTS ACHIEVED

In Baja California, the Program delivered a total of 32 events in Q1 related to institution building, criminal justice, alternative justice, police, victim restitution, human rights and CSOs.

A total of 350 people (242 women and 108 men) were trained in the state in subjects such as: the analysis and non-violent transformation of conflict, one-on-one coaching for justice sector operators, victim assistance, human rights and police administration, oral trial litigation, and preserving and processing crime scenes.

1.2 - Institution Building and Rule of Law

Throughout Q1, the Program collaborated with a working group comprised of officers from the state police of Baja California and specialists in task assessment from the Institute for Security and Democracy (INSYDE) to develop new standard operating procedures (SOPs) for the state police force. Specifically, they discussed 24 new SOPs that addressed gaps in areas related to juvenile detention; report and investigation of the use of force; building security; priority dispatch of police units; transporting of prisoners; escape of prisoners while being transported; assisting police officers wounded in service; and regulation of use of police uniforms and equipment. Following two rounds of internal review and discussion, the SOPs were reviewed by the respective state police forces' legal, operational and strategic planning units. The Program and INSYDE have collaborated on the development of police certification processes in Baja California, as well as the diagnostics that assess the status of the police structures in the state.



In October, representatives from the Baja California State Police participated in a technical assistance workshop on the implementation of criminal reforms. The Program analyzed their current operating procedures and provided recommendations toward the establishment of an internal feedback mechanism so as to increase communication and transparency within the police force, as well as to reduce incidents of human rights violations.

1.3 - Judicial Exchanges

In October, 12 public defenders from the state of Baja California participated in a training course in preliminary hearing. This course examined various processes and procedures required in preparation for a preliminary hearing, including types of arrest, filing a complaint, linking the accused to the process, requesting precautionary measures and closing an investigation. Through this training, public defenders in Baja California will have a strengthened understanding of efficient and transparent justice systems and will be able to perform their new functions per Mexico's criminal justice reforms.

In October, 13 participants from the office of the Attorney General of Justice for the State of Baja California (PGJ) received a week long training course in oral litigation in pre-trial training. The course covered two main themes. The first related to requesting warrants and corresponding hearings on the resolution of warrants, and the second to the rationale behind requesting samples from the defendants, and the corresponding hearing to decide on these requests.

Also in October, the Program delivered a course for directors from the Public Defenders' Office in oral litigation skills in Mexicali, Baja California. The objectives were to strengthen participants' knowledge acquired in previous courses on the new criminal justice system reforms, by focusing specifically on principles that govern the new system and testing on various stages of criminal justice proceedings. The transition to oral trials is an important part of the new criminal justice reforms in Mexico, whereby judges will evaluate arguments delivered orally, rather than through the submission of written briefs. Oral trials lower trial costs and court delays, and increase transparency in the judicial process. The skills required to communicate a verbal argument are different from those needed to produce a written briefing. As such, it is critical for justice sector officials and professionals to acquire the proper oral litigation skills needed to function in this new system.

The Program conducted one-on-one coaching sessions with judges, prosecutors and public defenders from the office of the Attorney General of Justice in Mexicali, Baja California. These justice sector operators had previously been trained in the new criminal justice system. The objectives of these coaching sessions are to assess knowledge and skills of course participants following the training sessions, and to provide them with constructive feedback. These sessions are necessary to ensure that implementation of the new criminal justice reforms continue.

The Program delivered a course to officials from the Attorney General of Justice's Office of Baja California. In addition to lessons on the methodologies of crime scene investigations and the applications thereof, participants were able to apply their new knowledge and skills through simulation exercises.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program participated in a conference in Mexicali, Baja California entitled "Women United for Peace" organized by the Attorney General's Office and the State System for Criminal Justice Alternatives. 110 women from social services and business sectors were invited to participate in a training session on alternative methods in conflict resolution. The objective of this training was to bring a group of outstanding leaders together in order to form a network of women with the knowledge



necessary to promote the benefits of alternative methods for conflict resolution and a culture of peace within their respective communities.

In November, the Program met with pre-trial services management officials in Mexicali, Baja California to discuss the development of a pilot project for pre-trial services. The adoption of the accusatory process involves a major overhaul of the rules for the determination of custody and other precautionary measures. International experience shows that judges are reluctant to apply, and the Public Prosecutors to seek precautionary measures other than detention. The reason being that there is often a lack of information required to ensure that the accused will not abscond, alter the evidence or intimidate witnesses testifying against him/her, or affect victims and/or the community. The driving strategy behind a pilot project of this nature aims at enabling operators to use precautionary measures in the most rational and objective way possible, so that defendants comply with the obligations of the process without affecting their freedom and the presumption of innocence that work in his/her favor.

Also in November, the Program conducted a site visit to the Mexicali Alternative Justice Center in order to provide technical assistance on the preparation of a Quality Management System Manual, as well as procedures and implementation processes toward achieving certification with the International Organization for Standardization (ISO). In implementing quality management procedures, the Center will have an improved capacity to serve its community according to the new criminal justice system.

2.3 - Human Rights Training for Police, Prosecutors & Other Officials

In October, officials from the Baja California Office of the Attorney General took part in a police administration and human rights training course organized by the Program. This five module course covered democratic reforms in policing, advanced police management and administration, ethics and responsibilities, community relations, and human rights. This type of course illustrates the role of policing in a democratic society and furthers the Program's aim to strengthen law enforcement through improved standards per the new criminal justice reforms. Please refer to Annex 1 for a success story related to this course that was included in an issue of FrontLines.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenge

The government that approved the reform suffered an electoral setback in the midterm elections (elections of deputies and mayors). There is a majority political party of opposition in Congress. There have been attacks by the media on the system in some cases.

Opportunities

The governor, who has led the reform and has maintained reform implementation as a political priority, has three years remaining in his term. The governor has built a solid institutional framework that will facilitate successful reform implementation. Government counterparts in the State are highly motivated and look favorably on Program support.

There is a close working relationship between USAID programs and several state agencies, including the three state branches.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

The Program has planned legislative technical assistance to modify Baja California's (BC) Criminal Procedure Code in accordance with the new criminal justice system, and will propose a legislative reform to incorporate precautionary measures criteria of the Criminal Procedure Code in the "Law for right of

women's to a life free of violence". It will also undertake technical assistance to directly address the need to create a legislative framework for TiP and victim assistance.

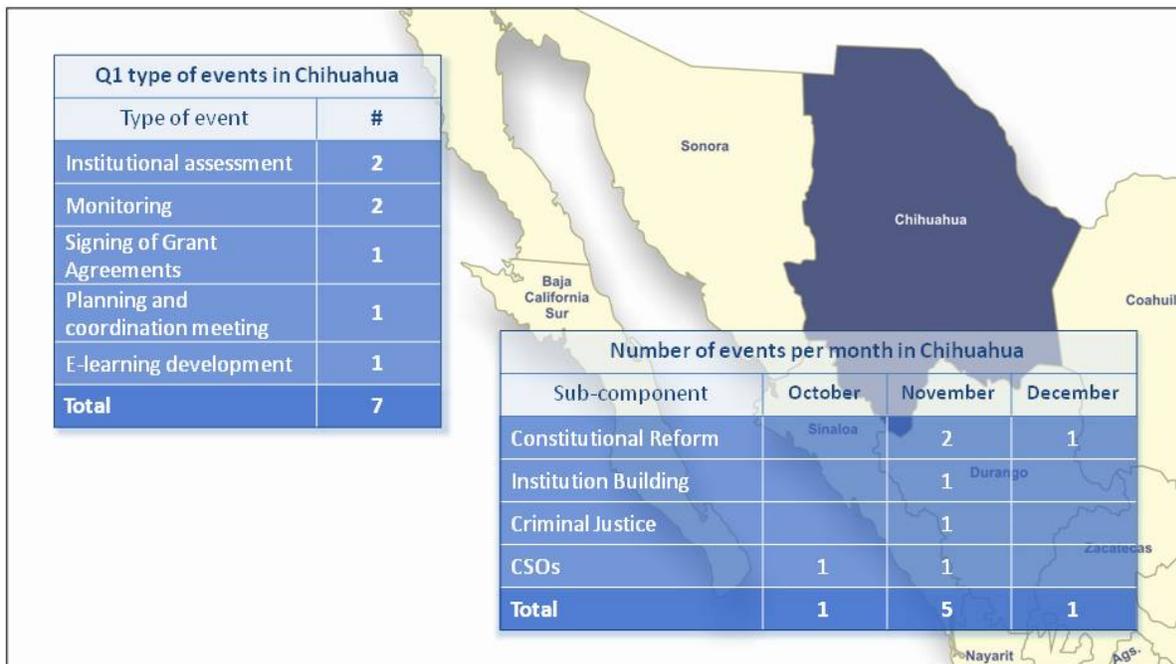
Ongoing technical assistance to the state Attorney General (PGR), Public Defenders' Office (PD), and State Supreme Court of Justice (TSJ) to share the findings of the Program's diagnosis for BC and to propose strategies to ameliorate the challenges that BC faces in implementing the reform. This activity is a key step in monitoring reform implementation in the state, which was identified by the Program as a priority need.

The Program's assessment of BC's needs included a review of the general directives for case management used by the prosecutor's office, courts and public defenders' office in order to identify opportunities to increase efficiency in case resolution rate and handling. As such, the Program has planned related technical assistance on court administration, hearing management, and inter-agency coordination. Specifically, the Program will provide recommendations to court administrators and judges on how to improve the efficiency of hearings and court administration, as well as inter-agency coordination.

The Program plans to develop train-the-trainers of defenders, which will serve to strengthen training institutes of key state institutions by increasing their capacity to train justice sector operators according to the new criminal justice system.

In Q2, the Program will work with to carry out an assessment of assistance models for victims of serious crimes. This activity directly responds to victim restitution needs identified for the state in the Program diagnostic. Finally, as BC requires the development of pre-trial services departments, the Program will continue to provide technical assistance to develop a pilot program to establish a pre-trial services unit in the state.

Chihuahua



CONTEXT

The violence in Chihuahua continues in an upward spiral. Despite a slight reduction from the previous year, public perception of insecurity within the state is the highest in the country (78.8% believe that crime has increased in the municipality where they live). Chihuahua tops the index of insecurity and violence in *México Evalúa AC*. One of every three executions in Mexico is committed in Chihuahua and one in five executions is committed in Ciudad Juárez. In Chihuahua there were 4,246 executions. Homicides per 100 thousand inhabitants in the state reached 140, one of the most violent regions in the world. The remaining serious crimes (the most violent and severe) also doubled.

This context of violence and poor coordination with the Federal level to increase institutional responsiveness to investigate and punish the most violent crimes, generated a remarkable increase in the impunity of homicide, which rose from 79% to 94% between 2008 and 2009 (the substantial rising trend in the number of killings suggests that there will be an increase in impunity during 2010). Among the few positive data points that can be highlighted, Chihuahua has a report rate that is higher than the national average. One in three crimes is reported. On the other hand, the Chihuahua authorities appear to be reducing the flow of information to the public, because in its preliminary figures for November 2010 they reported 3,514 killings across the state (that is less than the number of executions reported by the presidency of the Republic³), and the information sent by the authorities of that state to INEGI regarding performance on important variables such as health research are reported as "unavailable".

Despite the monumental challenge, the performance index ranks Chihuahua 13th among the 32 states. The deterioration of some variables such as impunity can significantly drop the states position in this index. In law enforcement there is a good assessment because the new process model can decongest the courts and reduce prosecution and general impunity. There are also good indicators with regards to Human Rights in the area of sentencing (e.g., pre-trial detention, judicial error, among others). It is vital to increase the responsiveness in order to reverse the progress of the impunity in the killing, as it is violence and the presence of organized crime that are the main curse of the state.

Legislative Context

The state has an approved new Criminal Procedure Code in accordance with the Constitutional Reform of 2008. However, it needs to be brought in-line with international instruments and the Constitution itself, because it has undergone two major counter-reforms that go against the principles of the Mexican Constitution. Complementary legislation in force includes: The Attorney General of Justice Act, Alternative Justice Act, Witness Protection Law, Public Defenders Act, Public Safety Act, Law on the Enforcement of Penalties and the Judicial Branch Act. Also, the state governor sent a new bill to state congress to reform several aspects of the accusatorial system, juvenile law, criminal law, and witness protection law that were promoted by former State Attorney.

SUMMARY RESULTS ACHIEVED

Seven activities related to constitutional reform, criminal justice, police, and CSOs were held in Chihuahua during Q1. There were no training activities carried out in Chihuahua during Q1, hence the absence of training numbers.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

³ This inconsistency may also be due to the position of local authorities who say that executions are under federal jurisdiction, which would imply that the authority will only consider as local responsibility murder not related to organized crime; despite the fact that before the rise in executions intentional killings in Chihuahua was about 750 homicides.

In November, the Program oversaw the work carried out by Mexican researchers, who monitored the implementation of criminal justice reforms in Chihuahua. Researchers were present at oral trials and hearings, including sessions on precautionary measures. In addition, interviews were conducted with magistrates, judges, public prosecutors, trial lawyers and public defenders regarding the implementation of the new criminal justice system. The Mexican research team is undertaking this field work study based on the guidelines and methodology developed by the Center for Justice Studies of the Americas (CEJA). This monitoring methodology includes comparative indicators, best practices, as well as a series of recommendations to improve the implementation of these reforms. In April 2011, the Program will submit a final report that will give an account of all the findings.

1.2 - Institution Building and Rule of Law

In November, the Program met with the head of Chihuahua's unified state police to initiate discussions related to Program activities to be undertaken with the new police force. Key discussion points from the meeting included technical assistance related to institution building, police force professionalization, procedural manual development and job task analysis. Training needs for officers and instructors, as well as the development of an academic curriculum were also highlighted. The Program expects a follow-up meeting to be scheduled in order to begin work on the job task analysis project and to agree to future assistance. Further to Mission feedback related to Q2 FY2011 work plan, no further activities will be carried out by Program experts with the *Policia Única*. The Program has been informed that NAS will assume responsibility for such activities in the near future.

2.4 - Support for Human Rights NGOs

In Q1, the Program signed grant agreements with 13 CSOs that were awarded in August 2010 and carried out first monitoring visits to ensure their compliance with project deliverables. These development projects, which were specifically designed for Ciudad Juarez, focus on: family integration, defending human rights in community spaces; creating an integrated program for the psychological care of victims of violence, creating a development program for the design of social policies by civil society leaders, training for persons providing victim's assistance; early childhood support programs, developing an educational program to promote justice and security to children from low-income families, creating a youth peace community, development and operation of an indicator system, and increasing women's economic opportunities.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Lessons Learned

The socio-political analysis of the reform in Chihuahua must be made from a wider perspective. Attacks on the reform allow the federal government to deflect the criticism that it is receiving due to increasing violence in the state.

Challenges

There is a high level of violence in Chihuahua. This atmosphere of violence and lynching has led to a bias against defendants' rights and due process. Public reaction has been very strong; many have rejected the new system and the law in general – demonstrated by the lynching of offenders in communities near Ciudad Juarez. Civil society in Ciudad Juarez is active and continues to fight to reclaim the city. They are highly organized within the city, but not elsewhere.

The most influential newspaper, *El Heraldo de Chihuahua*, praises the oral trials principles of publicity and transparency, and uses them to detect and monitor the failure of justice sector operators. However, this and other newspaper have reported that the system is too soft on criminals, and leads to impunity.

There is a general trend against the reform led by the Governor, the State Attorney General, State Congress and a certain portion of civil society. The governor has announced a new series of counter-reforms that he will submit to Congress. These are under discussion within his cabinet and are likely to happen. The political will is very strong to reverse the reform. Most of the attacks on the reform come from the Chihuahua Attorney General who has gained a lot of power, considering that he is responsible for police, prisons, law enforcement, in addition to his functions as Attorney General.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

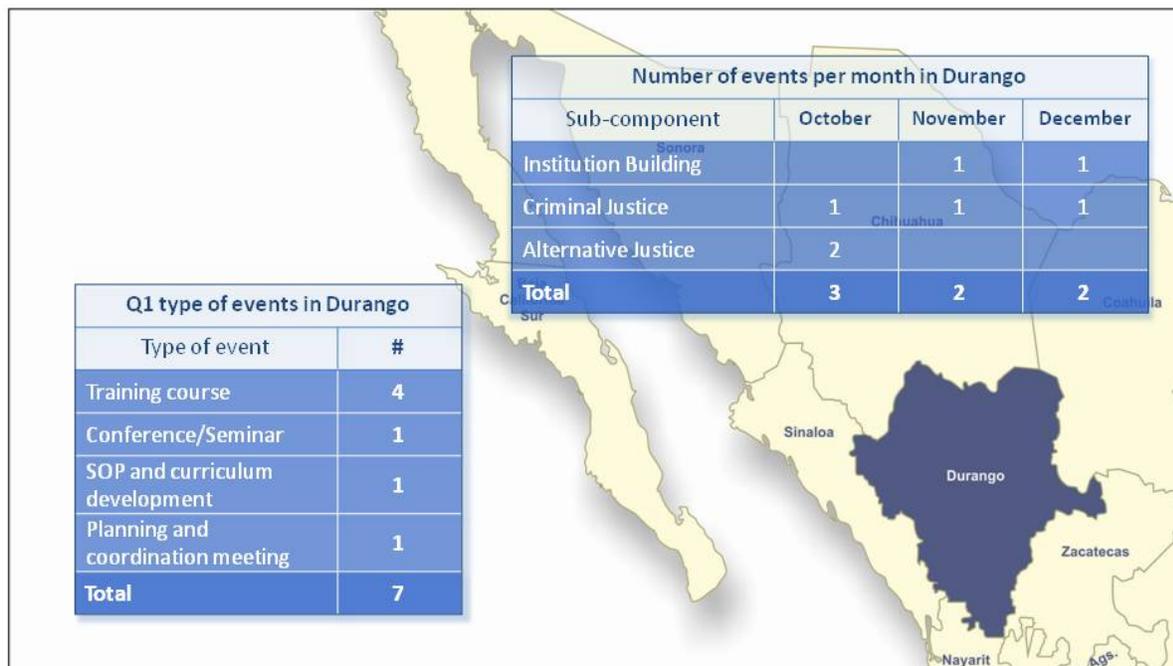
The Program will assess the training needs of key justice sector institutions to develop a tailored training plan. Through this initial activity, the Program will help to increase Chihuahua's capacity for training operators according to the new criminal justice system. The Program also plans to develop trainers of prosecutors, which will serve to strengthen training institutes of key state institutions by increased their capacity to train justice sector operators for the new criminal justice system.

As Chihuahua requires the development of pre-trial services departments, in Q2 the Program will provide technical assistance toward the establishment of a pre-trial services unit for juveniles, including the drafting of operations manuals, as well as a corresponding legislative framework. The Program will develop risk assessment tools to be applied to defendants to measure the risk associated with a defendant fleeing or becoming a threat to victims or the community.

In Q2, the Program will work with to carry out an assessment of assistance models for victims of serious crimes. This activity directly responds to victim restitution needs identified for the state in the Program diagnostic.

Finally, in order to respond to Chihuahua's need to create a public understanding of the new criminal justice system and to reverse civil society's opposition to it, the Program will develop a directory comprised of CSOs that could become partners for the implementation of the new Criminal Justice System. Additionally, the Program will facilitate synergies between key Program grantees in Ciudad Juarez so as to enable them to create networks among them.

Durango



CONTEXT

During 2010, homicides in Durango increased 10%. This can be compared with homicide rates in states such as Tamaulipas, which saw an increase of over 120% and Chihuahua, Sinaloa and Morelos where it almost doubled. The indicators of violence remain high, given the increase between 2008 and 2009 (over 100%). Using preliminary homicide data for Durango up to November 2010, there is approximately a four-fold increase in the number of intentional homicides registered in that state as compared to 2007.

Durango has the third highest murder rate in the country (63 per 100,000 inhabitants), behind only Chihuahua and Sinaloa. Serious crimes have almost doubled and the public perception of increased insecurity has risen, which explains why it has climbed to the third least safe state in the country. The only positive trends to report are that: 1) there has been a reduction in the public perception that the crime rate has increased, and 2) that the number of crimes reported is higher than the national average.

The ability of authorities to respond to the demands of criminal justice was limited during 2008 (29 of 32 on the performance index), only 5% of investigations were actually concluded and prosecution authorities are overall rated worst than the police. The monitoring of the reform should look for evidence on the changing trends in capacity for local institutions to manage and respond to crimes.

Legislative Context

Durango has approved the New Criminal Procedure Code in accordance with the Constitutional Reform of 2008, but requires harmonization. Complementary legislation in force includes: the Attorney General of Justice Act, the Alternative Justice Act, Public Defenders Act, Public Safety Act, and the Judicial Branch Act.

SUMMARY RESULTS ACHIEVED

The Program carried out seven activities in Durango in Q1 related to institution building, alternative justice, and investigative police education. A total of 277 people (119 women and 158 men) were trained in the state in subjects such as: the new criminal justice system, mediation and peace, and domestic violence within the framework of the new criminal justice system.

1.2 - Institution Building and Rule of Law

In December, the Program continued working with officials from the Durango State Attorney General's office (*Fiscalia General Estatal* - FGE), including the Attorney General, to advance plans for technical assistance. Specifically, the Program worked with PGJ to form a working group that will be involved in the creation of standard operating procedures and manuals aimed at strengthening internal controls within the FGE police force. A project timeline and work plan for this activity was finalized. In addition, the Program and FGE agreed on a work plan whereby the Program will monitor and evaluate a selection of cases where the FGE police and prosecutors work together. The objective of this activity is for the Program to observe the current collaborative practices between the two branches of FGE and provide recommendations and/or a new model to improve investigations and cooperation. Work on these activities is scheduled to commence in January 2011.

1.3 – Judicial Exchanges

In Q1, the Program held training sessions on the new criminal justice system for participants from the Office of the Attorney General of Justice and state police in Durango. This course addressed the corresponding roles and responsibilities of justice sector officials, as well as criminal investigations in the new system. It contained the following five learning modules: An introduction to the new criminal justice system, police ethics and responsibilities in a criminal investigation, crime scene investigations, witness, victim and suspect interviews, and the administration of protocols in a criminal investigation.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program delivered a workshop on domestic violence intervention to mediators and facilitators from Durango. The objectives of this course were to enable participants to: Recognize cases of domestic violence, learn about strategic and other types of intervention therapies, understand gender issues and inherited patterns of violence, and learn about network therapy and community intervention.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenges

Gomez Palacio is the next region where the entry-into-force of the reform is needed. However, the situation of extreme violence in the city (conflict among drug cartels, Zetas, Chapo Guzman, and Juarez), has led the government to indefinitely postpone the legislation's entry-into-force in the region.

Negative media attention on the new criminal justice system has begun, particularly due to the increasing impunity in vehicles theft.

Opportunities

Durango investigative agencies are well prepared; they have a high level of training and responded well to the training program. There is a citizen participation council that is fairly active in monitoring security and has potential to be a good observer of the justice system.

Durango has a new governor-elect, who has come from the Federal level and has supported the reform in the state. He is willing to implement the new criminal justice reforms. However, the Program must meet with him to evaluate his real engagement. The newly elected State Congress is also favorable to

the ruling party, but an analysis of the new Congress must be carried out to determine what the trend is.

In the Supreme Court, there is a will to implement the reform. Bar associations have also supported the reform process and have shown interest.

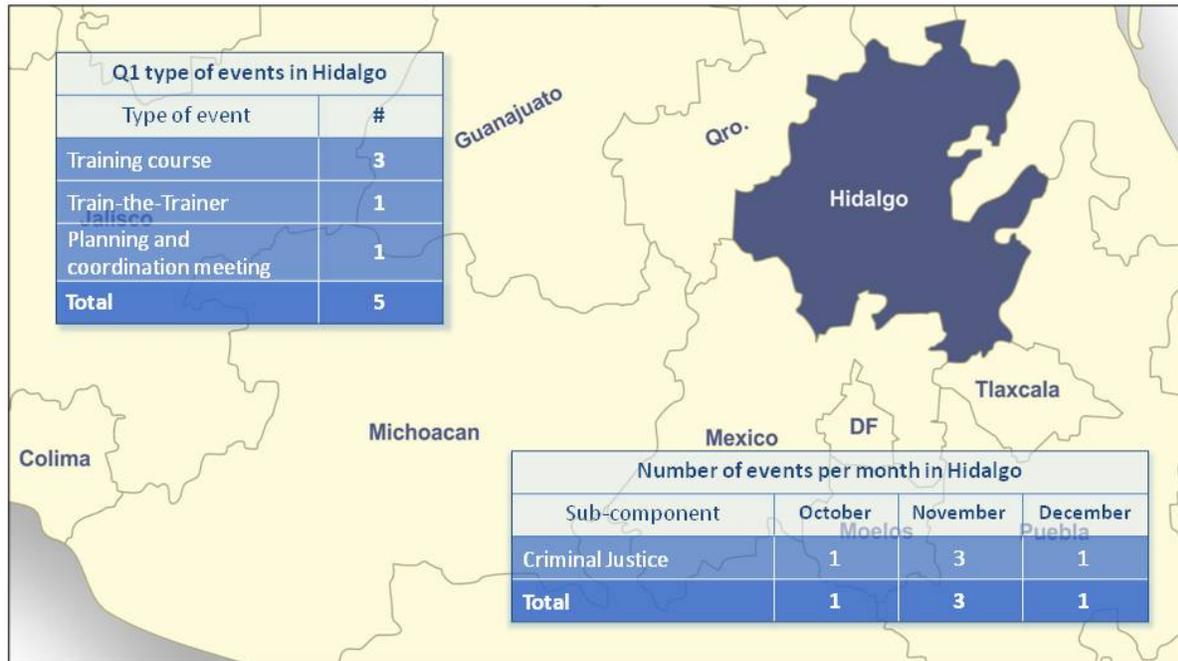
PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

Through technical assistance, the Program will undertake lobbying activities to gain political support and will within the legislature. As activities in Durango had only commenced during this quarter, the Program is in the process of designing tailored assistance that responds to state specific needs as indicated in the state diagnosis.

The Program will request a meeting with the newly elected governor and the new administration of the justice and security institutions in order to present the scope of technical assistance and training opportunities that the Program is able to provide. A key objective of this activity is to gain counterpart engagement in the implementation of the reform and their participation in furthering the Program's initial state diagnosis.

In addition, the Program will deliver a ToT course to state police and prosecutors. This ToT is an effort to increase the number of certified instructors to teach using the Program training curricula within their jurisdictions.

Hidalgo



CONTEXT

In 2007, homicides in Hidalgo grew by almost 50%. After 2007, however, the incidence of this crime has been decreasing. Although executions have doubled, the state is well below the national average with five murders per 100,000 inhabitants.

Because there has been a downward trend in insecurity, there has also been a reduction in pressure in the reform implementation process toward the adversarial system. Serious crimes and public perceptions of insecurity have decreased. Unreported crimes are slightly higher (80.1%) than the national average (77.9%), and the state is among those with low crime rates. Although below national average performance, some of their data are encouraging. For example, local authorities' trust ratings are higher than the national average (police received a better evaluation and perception than prosecutors).

While impunity for murders increased (from 46% to 61%), it remains well below the national average (81%); in the proportion of investigations actually completed it is virtually the same as the national average (20.6% and 21%, respectively). This is, therefore, a good context for the transformation of organizations and implementation of the reform.

Legislative Context

The state does not have an approved New Criminal Procedure Code, however, there is a bill that is expected to be approved in January of 2011. Complementary legislation in force includes the Public Safety Act and the Judicial Branch Act.

SUMMARY RESULTS ACHIEVED

The Program held five activities in Hidalgo during Q1, all of which related to criminal justice. A total of 39 people (20 women and 19 men) were trained in the state in subjects such as: hearing simulations, individualization of penalties, and alternative justice mechanisms.

1.3 - Judicial Exchanges

In November, the Program delivered a course for public defenders of the Attorney General Office of Hidalgo on the “summary procedures, negotiation and individualization of punishments.” This training provided public defenders with the tools necessary for successful litigation in summary proceedings, as well as for the proper handling of negotiations. Also, public defenders from the Hidalgo Attorney



General’s office participated in hearing simulations. The objective of this training course was to strengthen public defenders’ practical skills in initial hearings and to ameliorate incorrect practices through simulation exercises.

In December, five public defender trainers from Hidalgo observed litigation practices in the Mexicali Public Defenders Office. This was a key opportunity for ToTs to study correct and incorrect practices for future training sessions in Hidalgo.

The Program met with the Director of the State Public Defender’s Office to discuss a timetable for future training opportunities.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenges

Elections were held in 2010 (governor was elected) and there was a post-election conflict that has just been resolved in favor of the PRI. There is a power transition because there is a governor in office and another (from a different party) expected to take office in April 2011. This creates uncertainty for the Program regarding to the definition and implementation of the Program.

The State Attorney is an enemy of the new criminal justice system and has consistently refused any assistance in implementing the reform.

Opportunities

The federal technical secretary earmarked funds in the 2011 budget for the implementation of the reform through the development of projects.

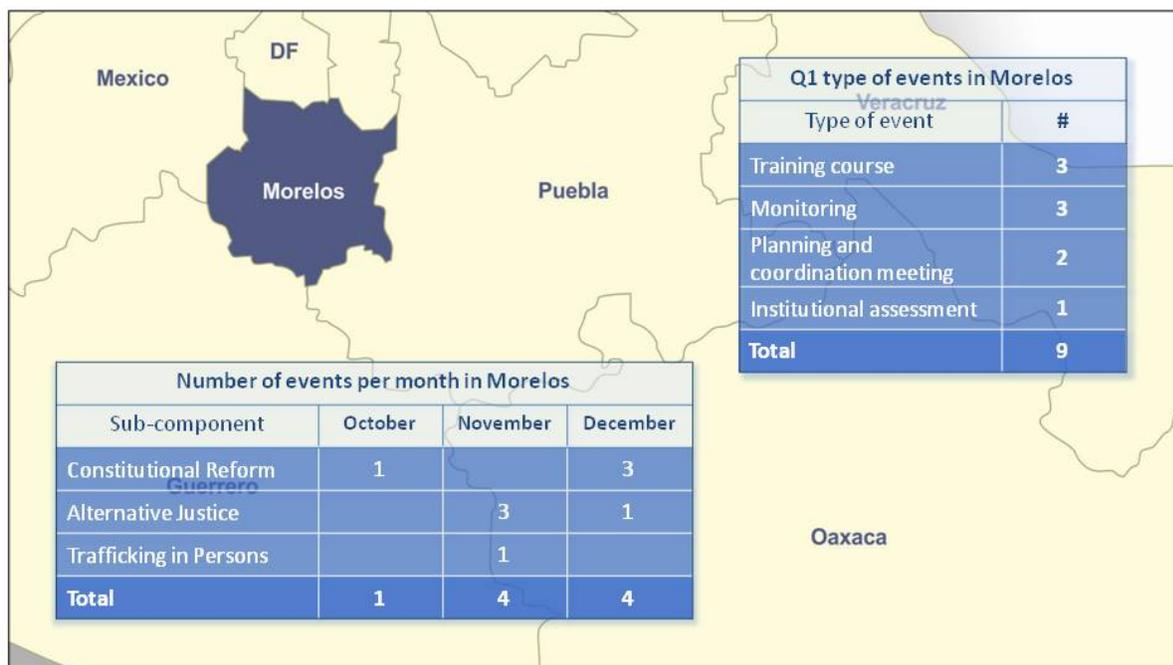
Although there has not been much public promotion of the reform, law faculties of both private and public education institutions are drafting proposals to reform professional development programs according to the new criminal justice system. They already offer degrees and courses in the subject.

The current governor has a high desire to promote the reform. The governor-elect took the issue of reform as part of his political platform, and is of the same opinion as the incumbent. Congress has indicated its intention to pass the reform in January 2011. The State Supreme Court has provided leadership and expressed interest in its implementation.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

The Program has planned key activities for Q2 that address several of Hidalgo's priority needs. The Program has been invited to participate in a meeting of the Interagency Sub-committee responsible for the development of a dictum on the new Criminal Procedure Code, with the particular purpose of maintaining appeals as a form of legal recourse in the text of the Code. Through planned technical assistance, the Program will undertake lobbying activities to gain political support and will within the legislature to ensure that the Alternative Justice Act is in-line with the principles of the new criminal justice system. The Program will provide legislators with theoretical and practical tools to design a comprehensive reform to the alternative justice legislation. Program experts will provide tailored assistance that responds to state specific needs as indicated in the state diagnosis. This directly responds to the state's need for technical assistance for the last stage of the approval of the Criminal Procedure Code at the State Congress.

Morelos



CONTEXT

The number of homicides in Morelos has quadrupled in three years. Executions have shot up (almost 60% of total homicides). The perception of insecurity has increased: 67.4% of respondents said they felt unsafe in their town, and 60.9% felt that crime increased. Indicators of violence and presence of organized crime made this among the top five insecure states.

There is a misperception of reform in the media. The attack is the result of errors made in the State Attorney General's Office. There is a perception of a "revolving door" in the system. The ruling party lost its majority in the legislature in the last elections.

Legislative Context

The state has approved the New Criminal Procedure Code in accordance with the Constitutional Reform

of 2008, but it is not completely in-line with international instruments. There are meetings amongst the three branches of government to prepare an amendment of the State Criminal Procedure Code. Complementary legislation in force includes: Attorney General of Justice Act, Alternative Justice Act, Public Defenders Act, Public Safety Act, Judicial Branch Act, and Juvenile Justice Law.

SUMMARY RESULTS ACHIEVED

In Q1, the Program carried out seven activities in Morelos related to constitutional reform, alternative justice and TiP. A total of 184 people (120 women and 64 men) were trained in the state in subjects such as: human trafficking, implementation and monitoring of protective measures, and the operation of pre-trial services for juveniles.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

In November and December, the Program continued overseeing the work being carried out by Mexican researchers who are monitoring the implementation of criminal justice reforms in Morelos. The Morelos Public Defenders' office submitted two-months of video documenting hearings to the Program. The Program analyzed the videos to obtain information related to implementation of reforms in the state. The Mexican research team is undertaking this field work study based on the guidelines and methodology developed by the Center for Justice Studies of the Americas (CEJA). This monitoring methodology includes comparative indicators, best practices, as well as a series of recommendations to achieve substantial improvements in the implementation of these reforms.

1.4 - Pre-Trial Case Resolution Alternatives



In December, the Program delivered a training course in pre-trial services to representatives from the State Police, Sub-secretary of Social Reintegration, Unitary Tribunal of Justice for Juveniles in Morelos, Attorney General's Office, and the Public Defenders' Office. There are two key objectives in this training course: 1) To train staff of the new Directorate of Preventive Measures for Juveniles in techniques of risk assessment methodology, monitoring of interim measures, justice for adolescents and coordination with governmental and non-governmental institutions, and 2) To train operators in the justice system for juveniles in the operation of the new unit of

precautionary measures and mechanism to use their services. The course is part of the "Presumption of Innocence Project in Mexico", which was created by the Open Society Justice Institute, the Institute for Security and Democracy (INSYDE), RENACE (NGO), and REINTEGRA (NGO). The Project promotes partnerships between experts, institutions, journalists and the media, related to government initiatives aimed at making the use of pre-trial detention equitable, rational and exceptional, in conformity with international standards and fundamental rights enshrined in the Constitution.

Throughout Q1, the Program provided technical assistance in the state of Morelos for the creation of a pre-trial services unit for juveniles (UMECA). Program experts met with state officials to provide advice and guidance on its creation.

2.1 - Protect, Prosecute, and Prevent Trafficking in Persons

In November, the Program hosted two discussion sessions on a film entitled, “Human Trafficking” at the Autonomous University of Morelos to an audience of 155 students and professors. Each session included a presentation by the Program on human trafficking, a viewing of the film and a question and answer period. The objective of the sessions was to analyze, understand and discuss the nature, reaches and consequences of human trafficking.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenges

There is not enough support to foster reform. Although the reform is approved, it will only enter into force in 2012. The State Attorney General is against the reform and insists on presenting counter-reforms.

The implementation of the reform has been delayed by a lack of training and resources. A decree is going to be approved to postpone the implementation of the third and final phase of implementation in the state (in the judicial district of Jojutla south of the State) until 2012.

There is conflict between cartels (cartel Sinaloa, cartel South Pacific). In the last six months, violence has increased significantly due to the conflict between these two cartels, although from the death and capture of leaders of these groups, violence has decreased.

A significant portion of the Morelos population is made up of tourists, which limits the role of civil society. As such, civil society in Morelos is not organized and does not express views about the role of justice.

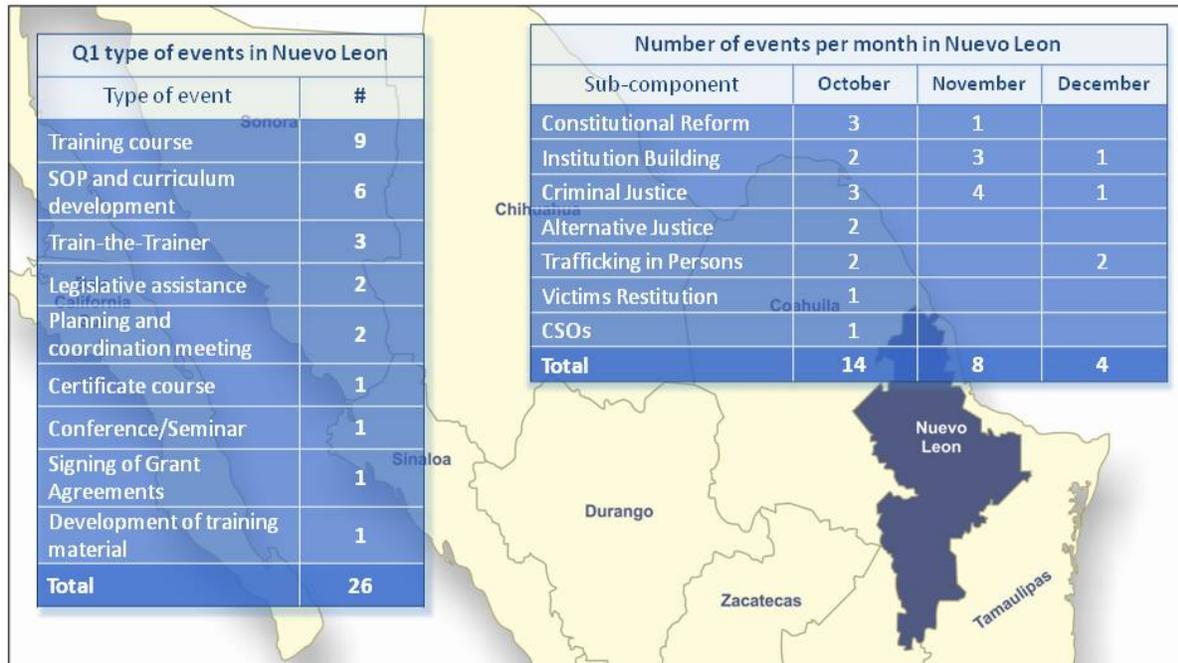
Opportunities

CSOs are active in the area of human rights. The state bar association and the State Judiciary are putting up a hard fight against counter-reforms.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

The following activities planned for Q2 directly address several of Morelos’ priority needs. The Program will carry out a monitoring visit to oversee the implementation of the juvenile pre-trial services unit, which was scheduled to officially open in January 2011. If necessary, the Program will provide technical assistance to develop additional protocols and SOPs. In order to address the need to develop pre-trial services for adults in the state, the Program will provide technical assistance in the drafting of a pre-trial services manual for adults. A train-the-trainer workshop has been planned for February on directing and ruling in initial hearings for future trainers of judges. This course addresses the need to strengthen training institutes of key state institutions through the development of programs, competency profiles, training of trainers, and increase their capacity to train operators for the new criminal justice system.

Nuevo Leon



CONTEXT

Although this state had not been among the ten most insecure and violent in the country, it is possible that the increase in homicides in 2010 will make it move up on this indicator. Murders have almost tripled and executions (which were kept below 2 per 100 thousand inhabitants) have increased five-fold. In addition, other manifestations of organized crime such as so-called “*narcobloqueos*”, have brought Nuevo Leon several times to national news.

There has been an increase of approximately 15% in serious crimes and the perception of insecurity has increased to where 64.7% of Nuevo Leon citizens perceive insecurity in their municipality; the perception of increased crime had declined slightly but remains at 63.8%. The proportion of crimes not reported declined and is just below the national average at 76.7%. With figures prior to 2010, the criminal system had good performance indicators (the sixth of the country), at the same time the impunity in murders (54% in Nuevo León) was almost half of the national impunity rate (81%), although for this year there is the challenge of investigating nearly triple the murders committed in 2009.

INEGI annual figures report that there is a 22% rate of effective investigation resolution, but according to reports on work of the attorney's office that state, the effectiveness is 69%. The assessment of law enforcement and prosecution is low. The big challenge is maintaining the institutional response to the escalation of violence experienced in 2010.

Legislative Context

The state does not have an approved New Criminal Procedure Code however, there is a draft Code from the judiciary, which is being reviewed by an interagency commission. The Domestic Violence Prevention and Treatment Law is the only complementary legislation in force.

SUMMARY RESULTS ACHIEVED

The Program delivered 26 events in Nuevo Leon between October and December and included activities

related to constitutional reform, institution building, criminal justice, alternative justice, police, TIP victim restitution and CSOs. A total of 533 people (238 women and 295 men) were trained in the state in subjects such as: critical incidents and burn-out syndrome, the new criminal justice system, managing family conflict, a “how-to” course for ToTs, and crisis management.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

Also in October, the Program participated in the recording of a six-episode T.V. mini-series entitled, ‘Let Justice Be Heard’, an educational program on Nuevo Leon’s judicial system. The series, which aired in December 2010, highlights Nuevo Leon as the first state in Mexico to use oral trials, presents an overview of the new criminal justice system reforms and promotes their implementation. As a member of the Oral Trials Network, the Program provided material and information related to the new criminal justice system, arranged interviews and supported logistics.

In November, the Program provided technical assistance to revise the draft bill of the Criminal Procedure Code of Nuevo Leon. Participants included officials from the Criminal Code Drafting Commission, the office of the Attorney General of Justice of Nuevo Leon, the Public Defender's Office, RENACE, (a non-governmental organization involved in promoting transparency in the justice sector, and in providing legal aid to economically marginalized persons), as well as judges, magistrates, and law professors from the Autonomous University of Nuevo Leon.



1.2 - Institution Building and Rule of Law

In Q1, a working group comprised of ten specialists in task assessment from the Institute for Security and Democracy (INSYDE), and officials from the State Police of Nuevo Leon, identified 20 new standard operating procedures (SOPs) that addressed gaps in areas related to juvenile detention; report and investigation of the use of force; building security; priority dispatch of police units; transporting of prisoners; escape of prisoners while being transported; police officers wounded in service; and personal use of police uniforms and equipment. Three rounds of discussion and debate on these SOPs took place, including a review by the Nuevo Leon State Police force’s legal, operational and strategic planning units. The Program has been pleased with the results to date in Nuevo Leon, as 20 general orders have been created and designed to strengthen the institutional structure of the State Police, with particular focus on preventing and combating human rights violations and corruption as well as how to carry out disciplinary proceedings. In December, the Program prepared a plan for the implementation of agreed-upon SOPs.

In addition, the Program met with the Director of the Institute for Police Professionalism in Nuevo Leon to discuss the development of training curricula and working groups for police procedures.

In December, the Program provided technical assistance to officials from the Nuevo Leon State Police on the preparation of a Quality Management System Manual, as well as procedures and implementation processes toward achieving certification with the International Organization for Standardization (ISO). In implementing quality management procedures, the force will have an improved capacity to function in the new criminal justice system.

1.3 - Judicial Exchanges

In October, the National Commission for the Superior Court of Justice (CONATRI) and the Program delivered a course to nine judges in Nuevo Leon, on the new adversarial, oral and criminal reforms. The purpose of the seminar was to strengthen and broaden the knowledge of participants on the functioning of the oral accusatory system, as well as the scope of the constitutional reforms and their implications on the criminal justice system. It provided participants with an opportunity to deepen their knowledge of the competencies and skills necessary for proper oral litigation.

In Q1, police officers from Nuevo Leon participated in training courses on the new criminal justice system. The course provided officers dealing with witnesses, victims and suspects, with the professional skills and knowledge of procedures in the area of criminal investigations. Another course focused on the corresponding roles and responsibilities of justice sector officials, and criminal investigations in the new system. This type of training furthers the efforts to professionalize police forces by increasing officers' accountability and their knowledge of human rights.

The Program delivered a training course to 11 police officers from the Nuevo Leon Attorney General of Justice Office to build their capacity as ToT instructors. The goal of this two-week course is to create a network of instructors with the capability to deliver training courses within their own agency. This training compliments additional ToT courses that the Program has implemented in other states, thereby expanding the number of "in-house" trainers within state PGJ offices.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program led a workshop on crisis intervention for participants from the offices of Attorney General of Justice and the Superior Court of Justice of Nuevo Leon. This workshop was developed to help participants identify the components of a critical incident or traumatic event and to respond accordingly. This type of training will enable participants to respond to a variety of crisis situations within domestic, work, and community contexts. Course components include: Definition and types of crisis situations; crisis in the workplace; components of a crisis intervention; what to do and what not to do during a crisis intervention; post-traumatic stress syndrome; legal considerations; and community networks.

2.1 - Protect, Prosecute, and Prevent Trafficking in Persons

In October, 52 participants from the National Institute for Migration (INM), the System for Integral Family Development (DIF) and public agencies in the areas of security and justice, took part in a workshop sponsored by the Attorney General of Justice (PGJ) of Nuevo Leon and the Program on TiP and Law Enforcement in Nuevo Leon. This workshop will give participants the tools necessary to prevent, detect and prosecute TiP, as well as to identify, assist and protect victims of TiP, adhering to the framework of respect for dignity and human rights. This type of course helps to build the capacity of government departments with jurisdiction over such crimes to appropriately handle cases. Specific learning modules include: Conceptual approaches, basic aspects of human trafficking; The application of international and national legal framework against TiP; Mexican criminal legislation on TiP and related crimes; Sexual Exploitation of Children, as a form of trafficking in persons and the work of Civil Society Organizations, for this problem; Enforcement and Administration of Justice in the new criminal justice system in Mexico; The importance of crime analysis and intelligence processes in combating TiP in New Mexico's criminal justice system; Framework for the Detection and Identification of victims of trafficking; Assistance and protection to victims of Human Trafficking Crisis intervention and traumatic stress; Neuropsychological processes of the victims of Human Trafficking; and the Burn-out syndrome in professionals working with victims of Human Trafficking.

Representatives from the Center for Guidance, Protection and Advocacy for Victims of Crime (COPAVIDE) participated in a ToT workshop on TiP and law enforcement in Nuevo Leon. COPAVIDE is an organization that provides victims of crime with comprehensive support, ranging from medical and psychological care, to shelter and legal assistance. This workshop gave participants the tools necessary to prevent, detect and prosecute TiP, as well as to identify, assist and protect victims of TiP, adhering to the framework of respect for dignity and human rights. This type of course helps to build the capacity of government departments with jurisdiction over such crimes to appropriately handle cases.

In December, the Program met with state congressional officials, including a representative from the State Human Rights Commission and Social Development. The objective of the meeting was to provide technical assistance to analyze, streamline and reformulate criminal typologies related to Trafficking in Persons in order to eliminate any duplication. The crimes analyzed included pimping and child pornography. Likewise, the Program proposed the creation of a section in corresponding legislation on TiP victims' rights.

2.2 - Victim Restitution

In October, the Program organized a conference on critical incident management and associated psychological trauma for participants from Nuevo Leon's Attorney General of Justice Office, Ministry of Health and State Police. A guest speaker presented urban mental health models for critical incidents to frontline professionals, including Critical Incident Stress Management, Traumatic Incident Reduction, and Peer Support Groups.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenges

There is a severe climate of insecurity related to organized crime, which has exposed weakness and gaps in state security particularly related to organization and operation of public security institutions.

Something emblematic in Nuevo León has been the organized crime attacks against civil society in the past year (2010 Guadalupe bomb, a shooting in a crowded Morelos Street one afternoon that kill an innocent young lady). This has generated a sense of outrage and an urgent need for change, but there is not much clarity about what changes are needed. This feeling of indignation has also put pressure on the government to improve the security and justice areas.

Opportunities

The CSO-driven national reform process began in Nuevo León with the CSO RENACE, chaired by Ernesto Canales, who is also one of the leaders of the Oral Trials Network. The new criminal justice system, although applies only to certain crimes and has not changed in a comprehensive manner, has been generally well-received in society.

Nuevo Leon has a strong and participatory civil society. In addition, the private sector and universities have considerable influence on government decisions.

The *El Norte* newspaper of the "Reforma" group has great influence, particularly with the government, and is a staunch ally of reform.

Since the killing of two students at ITESM, an educational institution with considerable influence on government, a decision has been made to follow up on certain amendments to public safety and criminal justice. Likewise, the CCINLAC, a council which brings together social and business organizations and an important interlocutor with the State Government, signed an agreement in December 2010 with the

governor to monitor the progress of reforms in public safety and criminal justice.

The Governor has expressed his intention to start to start reform implementation by 2012. The implementation commission has been established. The main institutions for the implementation of this change: the Secretary for Public Safety and the Prosecutor are preparing for the transition to the new criminal justice system. The government is relatively new and needs to gain legitimacy with civil society, especially on the issue of security and criminal justice. Congress is made up of a majority of members of the PRI, the party of the Governor.

The Program believes that Congress or the congressional majority will support the governor in any initiative related to this issue.

The Supreme Court also supports the reform of the justice system. Its Chief Justice is convinced of the reform and pushed it in the State from the beginning.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

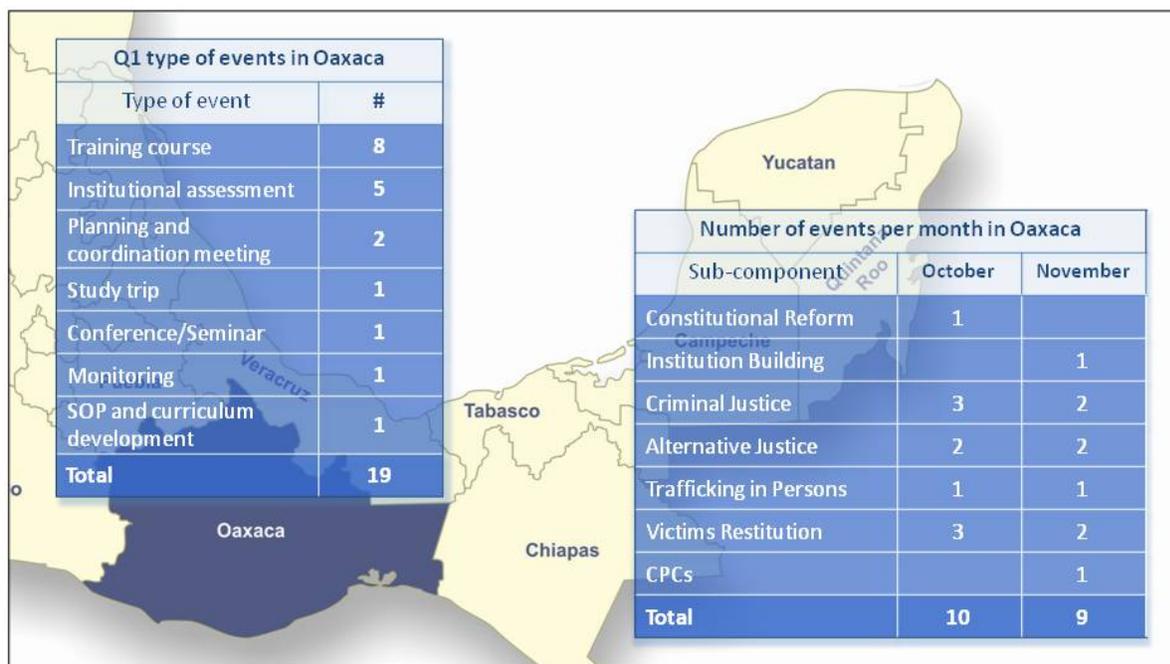
The Program will provide technical assistance for the drafting of the new state Criminal Procedure Code, as well as a planning and implementation strategy in-line with the constitutional reform and international legal instruments. Further, the Program will provide technical assistance to bring Nuevo Leon's Alternative Justice Law in-line with the new Criminal Justice System.

In addition, planned technical assistance for the development of "Guidelines for legislating on the prevention, prosecution and punishment of torture" satisfies another key legislative gap of the state. The Program will carry out a series of training courses including: Training in oral trial hearings for judges, prosecutors, defenders, and state investigative police; recourses in the new criminal justice system; a workshop on the defense during an investigation; trial advocacy for public defenders; a workshop on direction and determination of investigations for prosecutors; and a workshop on directing and ruling in hearings prior to charges for judges. These activities respond to Nuevo Leon's prioritized needs to prepare justice sector operators for working within the new criminal justice.

In Q2, the Program will work with Nuevo Leon to create a legislative framework for victim assistance. Further, activities will be carried out for the creation or strengthening of assistance models for victims of serious crimes. These activities directly respond to TIP and victim restitution needs identified for the state. Technical assistance will also be provided for the development of internal procedures and protocols to strengthen and improve the capacity of the Family Justice Center.

In order to respond to Nuevo Leon's need to create an awareness among civil society to understand the new Criminal Justice System and to reverse its opposition to it, the Program will develop a directory comprised of CSOs that could become partners for the implementation of the new Criminal Justice System and will facilitate synergies between key CSOs in the state so as to enable them to create networks among them. Technical assistance will also be provided to the Council of Civic Institutions of Nuevo Leon (CCINLAC) to enable them to monitor the security and justice agreement signed with Government of Nuevo Leon.

Oaxaca



CONTEXT

Just two decades ago this was the most violent state in the country with up to 50 homicides per 100,000 inhabitants in 1999, today it shows a downward trend in this crime, as well as other serious crimes. Although executions increased from 2.3 per 100,000 inhabitants to 4.4, according to official figures to November 2010s in this southeastern state there may be 70% fewer intentional homicides committed in the state, compared to last year (from 21.2 per 100 thousand inhabitants, to 5.4!).

Serious crimes fell by just over 20% and only 39% of respondents consider that the incidence of crime is increasing. Only 34.6% feel unsafe in the town where they live. Although the proportion of crimes not reported has dropped, it is still a high figure at 83.7%. This decrease in the incidence of crime should be reflected in an improved ability to investigate, prosecute and punish crimes because the state has considerable lags in this area, below the national average (20 of the 32 states), and it only effectively solves 14% of investigations (national average is 21%).

Impunity for murder has declined (81.7%), but is still high and just above the national average. Also, above the national average, 19.7% of Oaxacans surveyed said they greatly trust local police (only 10.5% trust government ministries), and 66.6% said they perceived the willingness of local police to help society. As the reform progresses in the five remaining regions there should also be perceptions of better performance.

Legislative Context

The state has approved the New Criminal Procedure Code in accordance with the Constitutional Reform of 2008, but requires harmonization. Complementary legislation in Oaxaca includes the Public Safety Act and the Judicial Branch Act.

SUMMARY RESULTS ACHIEVED

19 activities were carried out in Oaxaca this quarter related to all of the Program's existing sub-

components. A total of 1,043 people (558 women and 485 men) were trained in subjects such as: recourses in the new criminal justice system, litigation in initial hearings, alternative justice mechanisms, preserving and processing crime scenes, and victim assistance.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

In October, the Program conducted a monitoring exercise on the implementation of the new criminal justice reforms in the state of Oaxaca, based on the guidelines developed by the Center for Justice Studies of the Americas (CEJA). Specifically, the Program observed oral trial hearings, detention controls and intermediate hearings. This was the second phase in the preparation of a report on Oaxaca, with a specific focus on the judicial district of Huajuapán.

1.2 – Institution Building and Rule of Law

In November, the Program met with the Director General of the Professionalization of the Oaxaca State Police force. The purpose of the meeting was to review and evaluate existing manuals and to plan for further institutional development and training activities with the assistance of the Program.

1.3 - Judicial Exchanges

In October, 26 officers from the State Police of Oaxaca participated in a training course on preserving and processing crime scenes. In addition to lessons on the methodologies of crime scene investigations, and the applications thereof, participants were able to apply their new knowledge and skills through simulation exercises.

In November, prosecutors from the Oaxaca Attorney General's Office (PGJ) participated in a training course in initial hearings. The course was comprised of five modules, including: case theory, justifications for the legality of detention, formulation of charges, indictment and preventative measures. The objective of this training was to ensure that prosecutors from the Oaxaca PGJ have the skills required to conduct initial hearings in accordance with the new criminal justice system.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program participated in a roundtable attended by public defenders, attorneys and law students in Oaxaca. The objective was to introduce participants to alternative justice methods (AJMs) and the importance of their role in resolving disputes. A key point communicated at this roundtable was that the use of AJMs in a dispute results in both parties being satisfied with the outcome. AJMs are flexible and informal in nature and are a cost-effective way to resolve disputes, as there are no legal fees attached to services.

In November, the Program hosted a study exchange to the Restorative Justice Center of the Oaxaca Attorney General's office for officials from the Superior Court of Justice of Michoacán. This study exchange was a key opportunity for officials from Michoacán to learn about the Center's functioning and to learn from their experiences and knowledge. The Program has provided training to the Restorative Justice Center of Oaxaca to improve the capacity of mediators and facilitators to handle the cases they encounter. Through the continued support of the Program, today, the Center in Oaxaca has 28 technical staff working in the three areas of alternative dispute resolution: Mediation, conciliation, and justice restoration and has eight satellite offices.

Also in November, the Program participated in the first university conference on the new criminal justice system at the Autonomous University of Oaxaca. Two of the Program's technical experts gave presentations in alternative justice and criminal reform process in Mexico. Additional themes discussed

at the conference include: The criminal reform process in Chile; unconventional crimes; the Russian criminal justice system; and international organizations and criminal law.

2.2 - Victim Restitution

In October, the Program met with the Attorney General of Oaxaca (PGJ) and her staff to provide technical assistance related to victim assistance. The Program explained the victim assistance model for victims of crime, particularly for women. As a result, it was agreed that training would be scheduled in order to build the capacity of PGJ staff.

2.5 - Support for Citizen Participation Councils

In November, the Program provided technical assistance to the National Association of Citizen Participation Councils (ANCPC) as it conducted interviews with civil society organizations in Oaxaca. The objective of the interviews was to collect vital background information on CSOs operating in these cities to find out if they already belong to the ANCPC or if they operate independently. This activity will serve to strengthen the ANCPC as an institution by building a database of both actual and potential members.

OPPORTUNITIES, CHALLENGES AND LESSONS LEARNED

Challenges

For budgetary reasons, Oaxaca has constantly delayed the entry into force of the reform in regions that are missing (the Coast and Central Valley).

60% of the population of Oaxaca is indigenous, and many of them are governed by a system of customs and traditions.

Opportunities

For the first time in 80 years in Oaxaca there is a different party from the PRI. There are high expectations that the new government will lead an implementation of the criminal procedure reform in a more organized and systematic manner.

Last December, the new governor took office and made a commitment to USAID to continue implementation of the reform and create an implementation commission. There is a majority in Congress favorable to the governor but it is nevertheless necessary to raise their awareness for reform.

Unlike what has happened in other states, the reform in Oaxaca has not been attacked with the same force by the media.

Political Will

There is political will, however it is important to take advantage of this change in government and to provide Program support as soon as possible, to maintain the enthusiasm and commitment to the reform.

PLANNED ACTIVITIES/PROGRAMMATIC TRENDS

In accordance with the review and assessment of Oaxaca's priority needs, the Program will work with the state to establish an implementation and evaluation council for the new Criminal Justice System with the President of the State Supreme Court of Justice.

The Program plans to work with the Director of the State Supreme Court Training Institute and the Director of the Institute for Vocational Training within the State Attorney General of Justice Office to review and adapt their training programs to the new criminal justice system and to collaborate on the

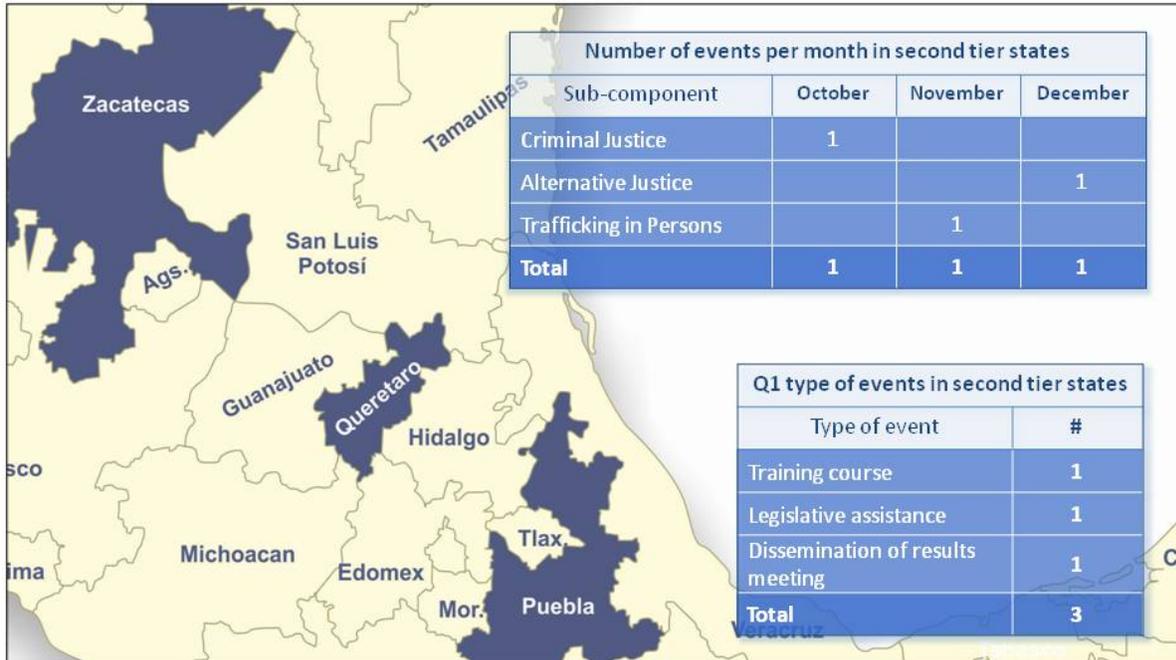
development of training programs and manuals on the justice system and alternative resolutions. This directly responds to the state's need to strengthen training institutes of key state institutions and increased their capacity for training operators for the new criminal justice system.

Related to alternative justice resolution mechanisms, the Program will deliver a lecture on Criminal Procedure Reform and alternative justice resolutions, and will deliver a certificate course in alternative conflict resolution methods. Further, the Program will provide technical assistance to bring Oaxaca's Alternative Justice Law in-line with the new Criminal Justice System.

In Q2, the Program will work with Oaxaca to create a legislative framework for victim assistance. Further, activities will be carried out for the creation or strengthening of assistance models for victims of serious crimes. These activities directly respond to victim restitution needs identified for the state. In order to respond to Oaxaca's need to create an awareness among civil society to understand the new Criminal Justice System the Program will develop a directory comprised of CSOs that could become partners for the implementation of the new Criminal Justice System and will facilitate synergies between key CSOs in the state so as to enable them to create networks among them.

Second-tier states

Three activities took place in the Program’s second-tier states related to criminal and alternative justice, and TIP.



Puebla

A total of 24 people (19 women and 5 men) were trained in alternative justice mechanisms.

1.3 - Judicial Exchanges

In October, the Program met with the Attorney General of Puebla to discuss the training and technical assistance menu that the Program provides to officials of the justice sector involved in the implementation of the criminal justice reform.

1.4 - Pre-Trial Case Resolution Alternatives

In November, the Program organized a workshop on alternative justice methods for officials from the Attorney General’s Office of Puebla. The course included five modules: Understanding conflict and how to manage it; applying various alternative justice mechanisms and tools; practical and theoretical elements to be considered in a conciliation model; practical and theoretical elements to be considered in a mediation model, and practical and theoretical elements to be considered in a restorative justice model.

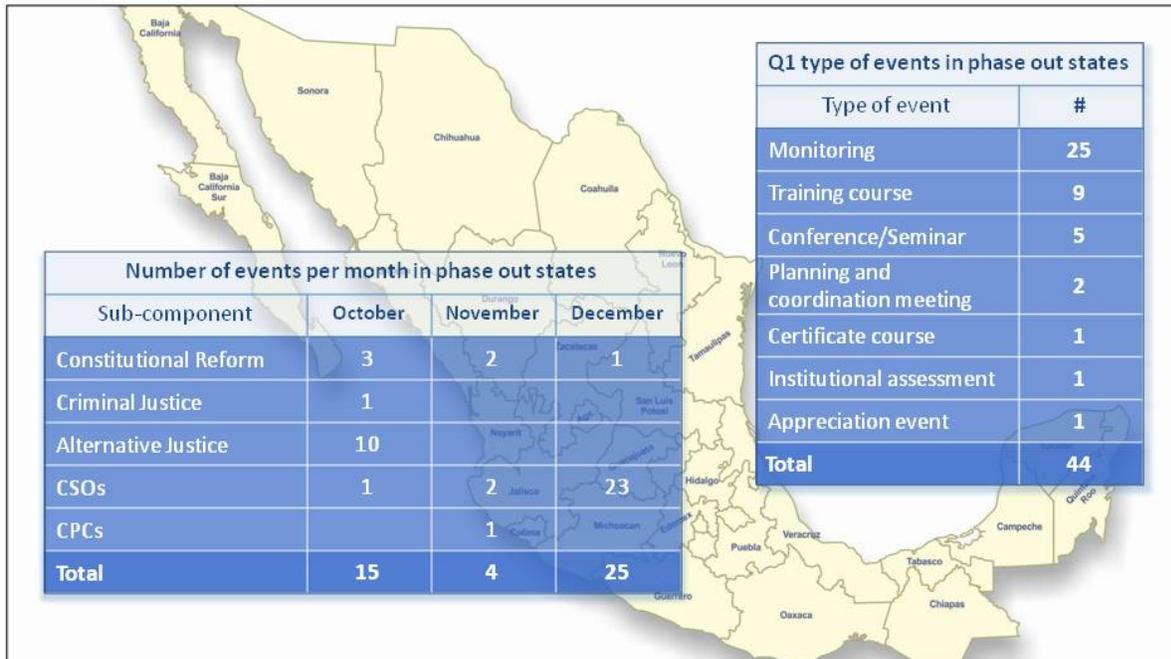


2.1 - Protect, Prosecute, and Prevent Trafficking in Persons

In November, the Program attended a ceremony in Puebla for the approval of the state’s new law against trafficking in persons. This was a significant achievement after four intense months of technical assistance provided to the Puebla legislature.

Phase out states

44 activities were carried out in Q2 in the Program’s phase-out states, 25 of which were monitoring visits to grantees to ensure their compliance with project deliverables. Other activities included meetings with officials to map out training agendas (Coahuila), mediation training workshop (Coahuila), a seminar on access to justice (Federal District), and monitoring of the criminal justice reform implementation (Mexico State), among others.



Coahuila

A total of 162 people (93 women and 69 men) were trained in alternative justice methods in conflict resolution.

1.4 - Pre-Trial Case Resolution Alternatives

Two key activities took place in October in Coahuila. The Program met with representatives from the PGJ of Coahuila to discuss a training plan for the state’s eight Alternative Justice Centers (AJC) and to examine the possibility of establishing new AJCs in Coahuila’s municipalities. As a follow up to this meeting, the PGJ’s office will submit a formal request outlining their training and technical assistance needs to the Program. Also, the Program held a mediation training workshop for participants from the Attorney General of Justice Office in Coahuila. The workshop introduced justice system officials to the basic elements of conflict resolution. Through this session, which included training components in pre-trial conflict resolution, plea bargaining and the use of alternative justice mechanisms, officials strengthened their knowledge about the benefits of alternative justice centers.

Federal District

A total of 381 people (162 women and 219 men) were trained in a seminar on access to justice and at an international conference on the importance of public participation in the prevention of crime and justice.

2.4 - Support for Human Rights NGOs

In October, the Program attended a seminar on access to justice along with members from the Latin American Faculty of Social Sciences. The audience was comprised of representatives from various human rights organizations, professionals in the defense and promotion of human rights and legal operators working on access to justice issues, including judges, public defenders and prosecutors. The seminar identified the problems that women, persons with disabilities, migrants and indigenous groups face in accessing justice. It also illustrated successful strategies and practices that government agencies and NGOs are implementing to ameliorate these challenges.

In November, the Program attended a special “Reintegra” appreciation event that brought together advisers, donors and other personalities from the organization’s 27-year history in helping to improve the lives of adolescents and their families. Reintegra is an apolitical Mexican non-profit organization that specializes in preventing crime and helping to improve public security.

2.5 - Support for Citizen Participation Councils

In November, the Program, the National Committee for Consultation and Community Participation in Public Security and the Chamber of Commerce, Services and Tourism of Mexico City, organized an international conference to highlight the importance of civil society participation in combating crime. The event was attended by approximately 35 representatives of civil society organizations (CSOs). There were two key purposes of the conference: i) Updating the CSOs participants on the status of the insecurity and violence phenomenon in Mexico, while providing them with accurate, objective and truthful information, and ii) Providing CSOs with the tools and skills necessary to strengthen the participation of society related to this issue

Mexico State

1.1 - Adherence to the Mexican Federal Constitutional Reforms

Through the work of Mexican researchers, the Program continued monitoring exercises on the implementation of the new criminal justice reforms in Mexico State. Specifically, the Program observed oral trials and hearings, accessed relevant data on the number of developed trials and length of time in litigation. In addition, the team finalized interviews with magistrates, judges, public prosecutors, trial lawyers and public defenders related to the implementation of the new criminal justice system, and finished its monitoring activities. The Mexican research team is undertaking this field work study based on the guidelines and methodology developed by the Center for Justice Studies of the Americas (CEJA).

Michoacan

A total of 30 people (24 women and 6 men) were trained in crisis intervention.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

In October, the Program met with representatives from the State Supreme Court in Morelia, Michoacan to conclude a draft of the Juvenile Justice Act. This was the fourth and final meeting where the Program provided technical assistance in the review and revision of the draft legislation. The Juvenile Justice System and its corresponding legislation will be the first of the new criminal reforms to be implemented in the state of Michoacan.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program led a workshop on crisis intervention for participants from the Michoacan offices of the Attorney General of Justice and the Superior Court of Justice. . This workshop was developed to help participants identify the components of a critical incident or traumatic event and how to respond accordingly. This type of training will enable participants to respond to a variety of crisis situations within domestic, work and community contexts. Course components included: definitions and types of crisis situations, crisis in the workplace, components of a crisis intervention, "dos and don'ts" during a crisis intervention, post-traumatic stress syndrome, legal considerations, and community support networks.

Tabasco

A total of 29 people (19 women and 10 men) were trained in basic mediation.

1.4 - Pre-Trial Case Resolution Alternatives

In November, USAID led a workshop to introduce mediation methods in the state of Tabasco for participants from alternative justice institutions.

Quintana Roo

A total of 46 people (24 women and 22 men) were trained in workshops on alternative justice mechanisms and designing alternative justice centers.

1.4 - Pre-Trial Case Resolution Alternatives

A workshop on alternative methods and conflict resolution took place in Quintana Roo in October. For participants of the state's Attorney General of Justice office The Program led a workshop to introduce alternative justice methods. . The workshop included learning modules on effective communication tools, emotions and needs, negotiation theories, mediation processes, and concepts in restorative justice. Quintana Roo has a high backlog of judicial cases. Therefore, the Office of the Attorney General of Justice in this state had indicated a great need for training in conflict resolution techniques.

In October, the Program hosted a workshop for public officials from the state attorney's office on the design and development of an alternative justice center in Chetumal, Quintana Roo. The objective was to design a plan and timetable that includes the selection of staff to be trained, training of center operators, and sensitization of judicial sector officials in mediation, conciliation and conflict resolution. The center is expected to be inaugurated in 2012.

San Luis Potosi

A total of 65 people (37 women and 28 men) were trained in an awareness workshop on alternative justice mechanisms and a conference on public safety and criminal justice reform.

1.1 - Adherence to the Mexican Federal Constitutional Reforms

In October, the Program was invited to speak at the Midwestern regional meeting of the Mexican Bar Association to a group of criminal lawyers. The Program presented information on the new criminal

procedure model and illustrated the expectations surrounding its implementation in the region. The Midwestern region is comprised of nine states (Aguascalientes, Colima, Guanajuato, Jalisco, Michoacan, Nayarit, Queretaro, San Luis Potosi and Zacatecas), and at present, only the state of Zacatecas has adopted the criminal procedure reforms.

1.4 - Pre-Trial Case Resolution Alternatives

A workshop on alternative methods and conflict resolution took place in San Luis Potosi in October. Participants were from the San Luis Potosi Attorney General of Justice Office. . The workshop included learning modules on effective communication tools, emotions and needs, negotiation theories, mediation processes, and concepts in restorative justice. The Attorney General of Justice in San Luis Potosi requested Program assistance to train staff in conciliation.

Sinaloa

A total of 48 people (32 women and 16 men) were trained in a conference on the psychological aspects of criminal law.

1.4 - Pre-Trial Case Resolution Alternatives

In October, the Program participated in a conference on the psychological aspects of criminal law in Sinaloa. The conference, which was attended by 200 participants, was organized by the School of Psychology at the University of Michoacan, St. Nicholas in Hidalgo, and the School of Criminology at the North Pacific University. The Program’s technical experts delivered presentations and workshops on: restorative justice and practices, mediation and conflict, trauma and resilience, and domestic violence offenders. For the Program’s presentations, the audience was comprised of lawyers, psychologists, criminologists, university students and representatives from the National System for Integrated Family Development (DIF) from six states (Sinaloa, Morelia, Mexicali, Jalisco, Michoacan, and Mexico State). Keynote topics discussed at the conference included: direct and indirect causes for increased crime in Mexico, the use of science to explain criminal behavior, psychological factors of crime, situational factors that explain the security issues in Puebla’s Historic district, legal psychology and social psychology of the dehumanization of law in Mexico, restorative justice and a case study of narco-trafficking in Sinaloa.

Sonora

A total of 24 people (15 women and 9 men) were trained in a certificate course entitled, “Managing Family Conflict”.

1.4 - Pre-Trial Case Resolution Alternatives

As part of the effort toward the creation of alternative justice centers in the municipalities in northern Mexico, in October, the Program provided public officials from Sonora with a comprehensive training course in conflict management. The program is divided into four modules: understanding conflict, tools, mediation, and restorative justice.

Annex 1. Success Story

USAID Trains Mexico's Police Supervisors in Human Rights, Administration

In October 2010, USAID trained 40 of Mexico's supervisory police officers to operate within the new criminal justice system.

The week-long, introductory training course, "Police Administration and Human Rights for Supervisors", included themes such as: administration, human rights, leadership, supervision, community relations, transitioning police roles and the new criminal justice system.

USAID's training course in police administration and human rights was the first of its kind. *"During the 13 years that I've served in the state police, I have never received a training course that focused on Police Administration,"* said Commander Sergio Ordoñez Pérez, of Hidalgo's security state coordination task force. *"I did not imagine that it would be possible for us to apply these concepts in a practical way within the force. But I was wrong. As head of the investigation unit, I have been able to share this information with my colleagues and put the lessons learned into practice with my team."*



"I have learned to value the importance of human rights, not only with citizens but with officers as well." Commander Pérez

Share this information he did. Commander Pérez's learning experience in the course was so positive that, after communicating what he had learned to his colleagues, the *Secretario de Seguridad Publica* (Force Chief) requested that he formally instruct officers in the area of human rights and police administration. Since then, Commander Pérez completed a separate train-the-trainer program in Hidalgo last December and looks forward to the opportunity to teach in the future. *"I have learned to value the importance of respecting human rights, not only with citizens but with officers as well,"* Commander Pérez said. In using what was taught, the Commander stated that, *"Citizens respond more favorably to us, approve of our work and think higher of us"*.

"I had never received a training that would help me as a group leader to plan, organize and professionally administer activities based on scientific foundations," said Commander José Dolores Salinas Domínguez of Property Crime State Investigation Coordination at the *Secretaria de Seguridad Publica Estatal* (SSPE), *"Now I can understand the concepts of administration and how they apply to police work. We now have the tools we need to plan and organize our work."*

Through activities such as the Police Administration and Human Rights course, USAID is transferring critical knowledge to Mexico's police forces. It is through the positive feedback and further learning of participants like Commanders Pérez and Domínguez that this knowledge and change can be sustainable in the future.

CAPTION: Police attend an MSI-implemented training course for USAID in Mexicali, Baja California, in October 2010.

PHOTOGRAPHER: MSI's Alfonso Modero Martínez