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USAID/MEXICO JUSTICE AND SECURITY PROGRAM QUARTERLY REPORT – OCTOBER-DECEMBER 2011

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ACRONYMS

AG	Attorney General
AJCs	Alternative Justice Centers
AJMs	Alternative Justice Mechanisms
ANCPC	National Association of Citizen Participation Councils
CASEDE	<i>Colectivo de Analisis para la Seguridad con Democracia</i>
CCC	<i>Centro de Colaboración Cívica</i>
CEAMPAJ	Executive Commission for Updating and Modernizing the Administration of Justice
CEEAD	Center for Studies on Teaching and Learning Law
CEJA	Justice Studies Center of the Americas
CIDAC	Center of Research for Development
CIDE	Center for Economic Research and Teaching
CJDH	<i>Centro Jurídico para la Promoción de la Justicia y los Derechos</i>
CJR	Criminal Justice Reform
CJS	Criminal Justice System
CONATRIB	National Commission of the State Supreme Court
CONAVIM	National Commission for the Prevention and Eradication of Violence against Women
CONSEGU	National Committee for Citizen Participation in Public Safety
CPC-PGR	Citizen Participation Council of the Federal Attorney General's Office
CPCs	State Citizen Participation Councils
CSOs	Civil Society Organizations
GoM	Government of Mexico
HR	Human Rights
ICESI	Citizen Institute for Insecurity
IMCO	Mexican Institute for Competitiveness
INACIPE	<i>Instituto Nacional de Ciencias Penales</i>
INCLE	International Narcotics Control and Law Enforcement
INSYDE	National Institute for Security and Democracy
MSI	Management Systems International
NAS	Narcotics Affairs Section
NCJS	New Criminal Justice System
NGOs	Non-Government Organizations
OSJI	Open Society Justice Initiative
OTN	Oral Trials Network (<i>Red de Juicios Orales, La Red</i>)
PROVICTIMA	The Federal Special Attorney General's Office for Crime Victims' Assistance
PTS	Pre-Trial Services
Reintegra	<i>Fundación Mexicana de Reintegración Social</i>
RENACE	The RENACE Institute, a leading CSO in the Oral Trials Network
RFTOP	Request for Task Order Proposals
SEGOB	Ministry of Interior (lit. Secretariat of Governance)
SEJAP	State System of Alternative Justice Centers
SETEC	Technical Secretariat of the Criminal Justice Implementation Commission
SIJUPE	Executive Commission for the Nuevo Leon Criminal Justice Reform
SOPs	Standard Operating Procedures
SSP	Secretary of Public safety
TA	Technical Assistance
TiP	Trafficking in Persons
ToT	Train-the-Trainer
TSJ	State Supreme Court
UMECA	Pre-Trial Services Unit for Juveniles
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

This report for the first quarter (Q1) of fiscal year (FY) 2012 covers the period of October 1 to December 31, 2011. It presents the achievements of the USAID/Mexico Rule of Law (ROL) III Program, also known as the Justice and Security Program (JASP) or, in this document, the Program, and it is organized as follows: 1) the Executive Summary, with an overview of the achievements under each of the Program's three objectives; 2) Results Achieved by Objective and Task, which details accomplishments according to the Program Results Framework (RF); 3) Annex 1 which includes success stories.

Legislative Achievements

The most fundamental change necessary for a Criminal Justice Reform (CJR) to be undertaken is in legislation because all actors in the system depend upon and perform within the legal framework established by federal and state laws. As such, it is of utmost importance that USAID, as part of its goal of supporting comprehensive reform implementation in Mexico, provide assistance in creating the appropriate legislative framework at the federal and state levels.

Federal Criminal Procedure Code

In Q1, USAID advanced its joint strategy with civil society partners to advocate for needed improvements to the Federal Criminal Procedure Code (FCPC) submitted to Congress in September 2011, as well as the Code's eventual passage. With the Oral Trials Network (OTN) and the RENACE Institute (Renace), it organized four forums on the FCPC for Congress representatives. As a result of these events, 29 members of the Federal Congress Justice Commission and their advisors were able to understand the scope of the bill submitted by the President and are now spurring discussion on the Code's pending issues. USAID also joined efforts with the OTN, the American Bar Association, the Open Society Justice Initiative (OSJI) and the Federal Technical Secretariat of the Criminal Justice Implementation Commission (SETEC, acronym in Spanish) to improve strategies to support the FCPC's passage. It was agreed that the group would try to meet with the new president of the PRI political party, as well as the candidates for the 2012 presidential elections, to discuss and promote the Code. The impact of this new legal instrument cannot be overemphasized as it sets the basis for the effective functioning of all the major actors in the federal criminal justice system.

Legislation Drafting Assistance

Puebla

USAID advanced efforts to establish the appropriate legislative framework to support successful implementation of the New Criminal Justice System (NCJS) in Puebla, by completing draft reforms of the State Criminal Procedure Code, Victims' Assistance Law and the State Attorney General's (AG) Office, Public Defenders' Office and Judiciary Acts (*leyes orgánicas*). USAID assistance aims to bring the laws in line with the 2008 constitutional reform. It is expected that these proposed reforms will be submitted to Congress in February 2012, a key step to ensuring adequate Criminal Justice Reform (CJR) implementation in the state.

Nuevo Leon and Oaxaca

The Program delivered technical assistance (TA) to begin reforming victims' assistance legislation in Nuevo Leon and Oaxaca. Using the Program scorecard, USAID is assisting in the drafting of the state laws alongside the Nuevo Leon Executive Commission for the Nuevo Leon Criminal Justice Reform (SIJUPE, acronym in Spanish) and the AG Office in Oaxaca. Thus far, the structure of the law has been set and USAID has begun drafting of the first section on general principles of victims'

rights and assistance for both states. Victims' assistance is a key human rights (HR) aspect of the reform that the Program aims to ensure is protected through the enactment of the necessary legislative framework. It is a priority under the NCJS, as under the old inquisitorial system, very few opportunities existed for victims of crime to be taken into account. As part of the CJR, legislation and resources are aimed at setting up a new structure that provides victims with a number of social and legal services.

Legislative Compasses

Significant advances were made during the quarter on its two legislative guides that will serve as pivotal resources for legislators and policy makers. Three chapters of a “how-to” guide to drafting criminal procedure codes—addressing probable cause hearings, precautionary measures, and arrest regulations—were completed this quarter, bringing the total to six (of ten). The other chapters completed are: Exclusionary Rules of Procedural Acts, Parties to the Proceedings, and Evidence. This “how-to” guide will be completed in Q3.

Nine chapters (of 15) of the “how-to” guide for drafting victims' assistance legislation were also completed this quarter. They address: guarantee of due process; special protection measures; victims' rights in judicial procedures; support and assistance measures; and victim compensation. It will be completed in Q2 and then be shared with justice system institutions in the target states to serve as a resource for the drafting of this key piece of HR legislation. It is already being used as a reference for the drafting assistance being provided to Nuevo Leon, Oaxaca and Puebla.

Scorecards for both of these types of legislation, as well as for Alternative Justice Laws, were developed to measure their quality and ensure compliance with the NCJS. As part of the reform, legislative changes are necessary in multiple areas, from federal and state constitutions to secondary laws that together create the entire working system. To ensure that TA for legislation drafting is sound and objective, a tool to track and evaluate the extent and quality of legislation was developed. Thus, scorecards were created, as a standardized way of analyzing all reform laws.

Institutional Strengthening Achievements

The complete overhaul of the criminal justice system with the reform implies significant changes in the structure, functions and operation of justice sector institutions and operators. As such, extensive TA and training is necessary to ensure the proper implementation of the accusatory system. The reform implies increased transparency, better case flow management, more successful investigations and greater protection for human rights, among other improvements. In order to obtain these results, USAID extends TA and provides capacity building for all areas of the system, as well as for the bodies charged with coordinating the CJR implementation: federal and state SETECs.

Work with Federal SETEC

USAID made several advances in collaboration with the Federal SETEC in Q1. Among these, SETEC will: i) consider adopting USAID training programs for its Master Training Program for justice sector operators; ii) will include USAID as a non-voting member of the SETEC Training Committee; and iii) will make the results of the USAID field study that monitored reform implementation available on its website, as they present an excellent resource for increasing citizen and operator understanding of the new system. Additionally, the citizen perception survey being jointly carried out by USAID and the Federal SETEC was piloted and the companies to conduct the field work were selected and hired. Thus, in Q2, the survey will be administered to 16,000 justice system operators, users and members of the general public. The results of the survey will provide USAID and SETEC with key information on citizens' understanding of the reform and areas of need to be addressed.

State SETEC Trained on Project Development and Management

USAID conducted its first training on the development and management of reform implementation projects for the Morelos SETEC. As SETECs are the coordinating body for the CJR, it is critical that they have the capacity to effectively design and execute projects to facilitate the implementation of the new system. On the post-tests, 100% of the participants demonstrated increased knowledge of the subject, with an average jump of 43% in scores.

Institution Building Enhanced

USAID developed and implemented a number of institutional strengthening plans this quarter. Strengthening plans were executed in the AJCs of Baja California and Oaxaca, the State AG Offices of Puebla and Baja California, and the Morelos and Baja California State Secretariats of Public Safety (SSPs, acronym in Spanish) to establish Pre-Trial Services (PTS) units for adults. These plans are key to improving justice sector institutions' ability to implement the reform effectively and independently.

USAID's capacity building efforts in SEJAP in Baja California has already produced significant results: the number of cases addressed by SEJAP has increased by 205% between December 2010 and December 2011, and it has a 90% rate of compliance with mediation agreements reached. As such, it serves as an example of success to be shared with other states. USAID is facilitating the same achievements in other target states, through institutional strengthening plans developed and executed this quarter for Oaxaca and Hidalgo AJCs. Overall this quarter, USAID conducted institutional strengthening activities in 24 AJCs.

USAID training programs were formally adopted by six institutions this quarter, including by the Baja California AG Office, SEJAP and SSP, the Hidalgo Police Training Institute, the Morelos Public Defenders' Office, and the Oaxaca Restorative Justice Center. This represents a major step for the sustainability of the Program's efforts and the reform overall, as it ensures continued comprehensive training for justice sector operators on the NCJS.

Monitoring and Coordination Tools Completed

USAID developed an analysis of important indicators for monitoring reform implementation to be provided to state SETECs. It proposes 57 indicators that will provide these coordinating bodies with a variety of ways to measure the performance of the NCJS. These indicators serve as the basis of USAID research initiatives and are essential for a sound analysis of the effectiveness of the new system. They will be applied as part of the field study to monitor reform implementation to be conducted over the coming months in Baja California and Durango.

USAID completed general guidelines to facilitate cooperation between investigative police and prosecutors, which it has been developing since early September 2011. These guidelines complement the coordination protocols developed by USAID in June 2011. Together, they serve as a key tool to establish agile and better cooperation between prosecutors and investigative police; explain the new roles of these operators as set by the NCJS; and strengthen the overall operation of the adversarial system. The Baja California Sexual Crimes Unit, which began implementing these procedures in October, has already seen a 106% increase in productivity, in terms of the number of cases resolved successfully and efficiently.

Advances in Pre-Trial Services in Baja California and Morelos

The opening of the PTS Unit for Juveniles (UMECA, acronym in Spanish), the first of its kind in Mexico and Latin America, took place in Morelos in February 2011 through assistance and training provided by USAID. Between February and December 2011, 90.8% of the 87 juveniles supervised by UMECA complied with their court-imposed conditions. This quarter, USAID completed an assessment of the Unit's performance, which allowed USAID to identify areas of need and strategize for future TA to be provided for the Unit's continued success.

USAID presented its implementation manual for PTS for adults at the Latin American Conference on PTS in Cuernavaca, Morelos, which honored UMECA. This manual will initially be used for the states of Baja California and Morelos. Mexico spends \$1.1 million dollars a day on room and board for prisoners

pending trial. The new procedures and PTS units that help judges to assess the accused parties' flight risk and to determine provisional remedies have allowed the states that have adopted the new practices to report significant changes in preventative detention trends. USAID assists target states to establish these services in order to facilitate this trend.

TA to the PTS committees in Baja California and Morelos was successfully delivered to establish work plans and spearhead activities. The aim is for both states to have PTS units for adults implemented in Q3 of FY2012. Like UMECA, these units will serve as models for the country, as they implement a key HR aspect of the new system—they will be the vanguard for PTS, providing services that embody the presumption of innocence and reduce prison overpopulation.

Advances for Victims in Oaxaca

Due to USAID assistance, a Special AG Office for Victims of Gender Crimes was created in Oaxaca, which stemmed from what was originally a less prominent department within the State AG Office. This new Office will give priority to victims' assistance services, demonstrating increased respect in Oaxaca for a key HR aspect of the reform. Furthermore, the creation of this office gives evidence of sustainable implementation of the reform that can result from USAID trainings.

Advances in Women's Justice Centers

USAID advanced on the manual for How to Create a Women's Justice Center this quarter, due to be published in April 2012. In conjunction with the manual, USAID has been working for the establishment of these centers in Mexico City and Ciudad Juarez, both expected to be opened in upcoming quarters. These Centers provide essential services to victims. As a result of such services, victims have taken a renewed interest in justice, attending 70% of trial hearings in reform states. Satisfying victims' needs and expectations is a critical step in the path to creating and maintaining the public's respect for and confidence in the NCJS.

Capacity Building for Operators Strengthened

In total, **652 justice sector operators** (309 women and 343 men) were trained in Q1. Those operators were judges, prosecutors, public defenders, investigative police, mediators, victims' assistance center staff, forensic experts and court administrators, who were trained in 1,048 sessions.¹ Training subjects included litigation in initial and intermediate hearings, AJMs, criminal investigations under the NCJS, victims' rights and assistance, and directing and issuing rulings in hearings, among others.

Peers Teaching Peers

Through two USAID study tours, 60 prosecutors, investigators and forensic experts from Puebla learned about the reform implementation process in Mexicali, Baja California. The working relationships established between the Baja California and Puebla participants, as well as the best practices identified from the Mexicali experience, will serve as a key advantage for reform efforts in Puebla, which will begin operating under the NCJS in 2013.

USAID also led two study tours related to improving alternative justice services. The first brought Puebla officials to Oaxaca to learn best practices, as Puebla is in the process of establishing an AJC with USAID assistance. Directing cases to be resolved via Alternative Justice Mechanisms (AJMs) allows for fewer, but higher quality cases to enter the court system. As such, the establishment of an AJC in Puebla will go a long way toward improving the effectiveness of the NCJS in the state.

The second study tour involved officials from the Oaxaca Restorative Justice Center and the Hidalgo AJC travelling to Baja California to learn from the State System of Alternative Justice (SEJAP, acronym in

¹ In Q1, USAID trained 652 justice sector operators, of which 21 participated in five distinct courses, 23 participated in four distinct courses, 24 participated in three distinct courses, and 195 participated in two trainings, bringing the total of "training lessons" imparted to 1,048. As some individuals participated in more than one course, these numbers reflect "training lessons" rather than the absolute number of persons.

Spanish) example. There is a 90% compliance rate among cases resolved in SEJAP, demonstrating its overwhelming success in offering an alternative and effective answer to social conflict. As such, the Hidalgo and Oaxaca representatives plan to improve their own Centers based on the SEJAP model and experience.

Training Evaluations Institutionalized

Pre- and post-tests to evaluate Program trainings were updated and standardized during Q1, and as of November, were institutionalized. The results of these exams overwhelmingly demonstrate the success of USAID trainings in terms of knowledge acquired by trainees, as 92.4% of trainees increased scores on the post-test. Among the justice sector operators, the most notable increase was observed in the scores of victims' assistance center staff, which increased by 3.3 points on average. The increase in average scores among female trainees was slightly higher than their male counterparts, with an increase of 2.8, as compared to 2.3.

Achievements in Working with Civil Society

Civil society plays a critical role in the sustainable success of the CJR, and journalists, in particular, have a strong influence on general perceptions of the NCJS. Increasing citizens' understanding of the accusatory system and the benefits it yields builds their capacity to engage in and foster the reform. As public confidence in the new system is absolutely vital for its effective and lasting implementation, USAID provides extensive support and capacity building for civil society as part of its overall strategy of supporting comprehensive CJR implementation at the state and federal levels.

CSO Criminal Justice Reform Monitoring Group Established

This quarter, USAID made several advances in increasing the capacity of CSOs to support and monitor the CJR. The most significant of these efforts was the formal establishment of the Citizens' Justice Observatory in Nuevo Leon. This collaboration of more than 20 CSOs is a key effort to involve civil society in the monitoring of the CJR. As the first observatory of its kind in Mexico, it will surely serve as a model for other states.

Awareness Raising on the Criminal Justice Reform

The *Centro de Investigación para el Desarrollo (CIDAC)*, which has been hired to coordinate the USAID national media campaign on the NCJS, developed the slogan (*Esto es la justicia*; "This is justice"), a key step to be able to advance on the series of videos to be produced and disseminated online and in social media. The videos, which will target the general public, are intended to reach thousands of web views, thereby raising awareness on and promoting the CJR, while also building the capacity of citizens to participate in and support the NCJS.

Citizen Participation Promoted

The Strengthening Citizen Leaders project implemented by the Citizen Participation Council of the Federal AG Office (CPC-PGR, acronym in Spanish) launched activities in Q1. The CPC-PGR has trained the seven instructors who will conduct workshops on the NCJS for future community leaders in the USAID priority states, as well as 13 additional states. The project will directly impact approximately 1,800 community leaders (an average of 90 per state), increasing their understanding of the CJR and empowering them to monitor and foster the new system.

Grantee Projects Completed Deliverables

USAID verified grantees compliance and received deliverables for 11 grantee projects in Q1, which yielded significant results:

1) *Fundación Mexicana de Reintegración Social* (Reintegra), which provided support to 84 juveniles on

probationary measures; 2) *Instituto Mexicano de Derechos Humanos y Democracia* (IMDHD), which trained 100 Campeche prosecutors on HR issues; 3) *Fundación Camino a Casa*, which developed a model of assistance for youth victims of sexual exploitation and human trafficking; 4) *Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho* (CEEAD), which trained 329 law professors on the NCJS; 5) *Cáritas de Monterrey*, which trained community groups in Nuevo Leon on human development and HR; 6) *Asociación Oaxaqueña de Estudios Interdisciplinarios sobre Género y Derechos Humanos*, which conducted a media campaign on Trafficking in Persons (TiP); 7) *Fundación Murrieta*, which improved the transparency of the State of Mexico Justice Administration Council website; 8) *Defensoras Populares*, which raised awareness about TiP among young people; 9) *Centro Jurídico para la Promoción de la Justicia y los Derechos*, which published a manual for instructors conducting courses on the “HR Aspects of the CJR”; 10) *Salud y Desarrollo Comunitario de Ciudad Juárez* (FEMAP), which provides microcredit and training to facilitate women’s empowerment and self-employment; and 11) *Instituto para la Seguridad y la Democracia* (INSYDE), which developed a model of coordination for investigative police and prosecutors in Morelos, Nuevo Leon and Oaxaca.

Together, these organizations directly benefited **15,647** individuals and indirectly benefitted an estimated **31,519**.

Capacity Building for Civil Society Organizations

In Q1, USAID trained **144 representatives of civil society organizations (CSOs)** (101 women, 43 men), of which 48 took pre- and post-training evaluations to demonstrate knowledge gained. A sign of the impact of USAID trainings, 93.8% of CSO representatives’ scores increased on the post-test. Their average scores increased from 5.7 on the pre-test to 7.9 on the post-test (on a ten-point scale), an average increase of 39%. The increase in average scores among female trainees was slightly higher than their male counterparts, with an increase of 2.2 as compared to 2.1.

One of these courses taught defense attorneys who provide legal aid through CSOs how to litigate under the NCJS. These attorneys will be prepared to engage in strategic and emblematic cases that will set important precedents for the future of the reform. A second course taught Chihuahua CSOs about AJMs as part of the process of establishing a Community Network for Restorative Justice. This network will support both victims and aggressors and provide more efficient and effective alternative solutions to conflicts.

Journalists’ Knowledge of the CJR Enhanced

In Monterrey, Nuevo Leon, USAID conducted its first training course for 43 journalists in Q1. As a result, ten Program-trained journalists from the prominent newspaper *El Norte* have since written 16 articles that reflect the knowledge acquired on the NCJS. Using the Program scorecard to measure the quality of these publications, it has been verified that these reporters demonstrate an increased understanding of the criminal justice system and respect for the rights of both the accused and the victims, honoring the value of presumption of innocence.

RESULTS ACHIEVED BY OBJECTIVE AND TASK

Objective 1: Results Achieved

Under Objective One, USAID advanced on several results outlined in its work plan for FY2012. This included the following under Task 1.1: the completion of sections of its “how-to” legislative guides; reforms drafted for the Puebla Criminal Procedure Code and secondary legislation; amendment proposed for the Morelos PTS laws; and TA provided for victims’ assistance legislation in three states (Nuevo Leon, Oaxaca and Puebla). Under Task 1.2, USAID worked with civil society for the promotion of the FCPC.

Task 1.1 – Key state and federal legislation for Criminal Justice Reform submitted to state and federal legislative branches

This quarter, USAID focused on providing assistance for the drafting of eight laws: five in Puebla, and one each in Morelos, Nuevo Leon, Oaxaca, and Tamaulipas. Several of these are expected to be submitted to state legislatures in Q2.

Legislative Reforms in Puebla

USAID provided TA for the drafting of reforms to the Puebla Criminal Procedure Code, as well as to the AG Office, Public Defenders’ Office and Judiciary Acts (*leyes orgánicas*). These reforms are key to establishing the legislative framework necessary to support successful implementation of the new system in Puebla and ensure compliance with HR standards. They are expected to be submitted together to the State Congress by the Governor in February 2012. The enactment of these Acts will set the grounds for the development of a system in which there exists a new and enhanced management of criminal cases. The new legislation will allow a broader scope for the prosecutor to decide the cases he intends to prosecute and which others can be solved by alternative dispute resolutions or plea bargaining. The State Judiciary Act will set the basis for establishing a new management structure in which the judge will no longer serve two functions, as court administrator and presiding body over cases. Instead, a professional Court Administration Department will be created for improved use of resources and better case management. For the Public Defenders’ Office Act, USAID’s recommendations aim to bring the bill in-line with United Nations standards to make the public defender system part of the civil service.

Pre-Trial Services in Morelos

USAID provided TA to the Morelos Governor’s Office for the reform of state legislation to improve the framework for PTS. It was agreed that USAID will complete the final version of its recommendations for amendment to the Morelos Criminal Procedure Code and the state regulations for social reinsertion and monitoring of precautionary measures and will then share them with the Governor’s Office for review. This is part of USAID’s ongoing assistance being delivered for the implementation of PTS for adults in the state. If the local Congress passes this reform, a strengthened institutional framework will be in place to conduct pre-trial risk evaluation interviews that will provide more complete and adequate information for the precautionary measures decision. This will have as a consequence higher levels of compliance from defendants and reduced overuse of pre-trial detention. So far this system is only in place for juveniles; through these efforts, USAID aims to support the extension of these services to adults as well.



Victims' Assistance Legislation

In Q1, USAID delivered TA to Puebla, Nuevo Leon and Oaxaca for the reform of the states' legislative frameworks in terms of victims' assistance.

In Puebla, USAID drafted proposals for sections 1-3 (of 6) of the Victims' Assistance Law. In coordination with this effort, USAID also provided TA to the State AG Office to strengthen the model of assistance applied in Puebla.

In Nuevo Leon, USAID conducted initial sessions with the State Executive Commission for the Criminal Justice Reform (SIJUPE, acronym in Spanish) on the need to draft the victims' law and elements that should be included in it. Based on the legislative guide it has been developing, USAID presented the provisions that should be included in victims' assistance legislation in order to be in accordance with the 2008 constitution and international HR standards. USAID will continue to provide TA in Q2 to support the law's drafting.

In Oaxaca, USAID similarly presented the State AG Office with the elements (structure, parameters and principles) that the law should contain and in Q2 will continue the drafting and mentoring assistance, with the aim of completing the draft law in March 2012. USAID provides extensive assistance in this area as victims' assistance represents a critical HR aspect of the CJR that requires the enactment of supporting secondary legislation.

Technical Assistance for Tamaulipas Criminal Procedure Code

USAID developed a report to be used by the drafting committee in charge of developing a new State Criminal Procedure Code for Tamaulipas. The report outlines issues that should be addressed in the Code in order to ensure that it is in-line with the constitutional reform of 2008 and international HR standards. In particular, USAID has identified key aspects for the drafting committee to keep in mind to avoid establishing a system that remains inquisitorial, for example: maintaining excessive written formalities in the criminal process; failure to include the participation of police in the investigation; and lack of adjustment of the management and organizational structure of the courts and the State AG Office. The completed report was sent to the State SETEC to be used as a reference in drafting the new Code. USAID will continue offering TA to the drafting committee in Q2 to ensure that the Tamaulipas Code is in accordance with the CJR.

Legislative How-to Guides

In Q1, USAID continued the development of two legislative guides that will serve as a key resource for legislators and policy makers, providing them with the tools to enact and pass legislation in line with the NCJS and international HR standards:

- *How-to Guide for drafting criminal procedure codes*
Three chapters of a "how-to" guide for drafting criminal procedure codes were completed this quarter, bringing the total to six (of ten). It will be completed in Q3 and will then be shared with state legislatures to provide them with an overview of the most pivotal principles of the constitutional reform. The chapters completed this quarter are described below:
 1. Probable Cause Hearings: One of the most controversial topics in criminal procedure codes has to do with the initial hearing in which probable cause is determined. The importance of this hearing and the standards of evidence that are required to verify probable cause have been one of the major obstacles to efficient prosecution. The essential difficulty under the inquisitorial system was that the legal requirements for satisfying the probable cause standard were well beyond the requirements that existed for the amount of evidence needed to start the procedure and to obtain arrest warrants. USAID makes several recommendations to enhance the legal framework for these standards, based on Mexican and international best practices.

2. **Precautionary Measures:** This chapter addresses pre-trial precautionary measures and the requirements for adopting such measures. The traditional justice system prescribed a very extensive catalogue of crimes for which pre-trial detention was automatically ordered. The consequence of this state of affairs was that there was an irrational overuse of pre-trial detention that hindered the protection of HR and the presumption of innocence. The guide successfully describes the exceptional nature of pre-trial detention and other precautionary measures, and establishes alternatives for preventive imprisonment. State and federal legislators, as well as other stakeholders such as attorneys, university professors and law enforcement agents will now have a resource for better understanding the nature of these preliminary decisions and the standards now in place for determining when detention is called for.
 3. **Arrest Regulations:** This one explains the general rules that must be met for obtaining arrest warrants as well as the situations in which someone can be arrested without a warrant, that is, in urgent cases and when the suspect is captured *in flagrante* (in the act of committing a crime). The contents of this chapter will serve to prevent the proliferation of regulations that lead to arbitrary arrest and the possibility of establishing exclusionary rules.
- **How-to Guide for drafting legislation for the protection of victims' rights**
 Nine chapters of the guide for drafting secondary legislation for the protection of victims' rights were completed this quarter. They addressed the following issues: 1) Victims' rights in judicial procedures; 2) Support, protection and assistance measures for victims; 3) General regulations for reparations; 4) General regulations for restitution; 5) Compensation; 6) Rehabilitation; 7) Satisfaction; 8) Guarantees of non-repetition (measures to prevent violations of rights from recurring); and 9) Additional reparation measures. The guide, which will have 15 chapters in total, will be completed in Q2 and will then be shared with justice system institutions in the target states to serve as a resource for the drafting of this key piece of HR legislation. It is already being used as a basis for legislative assistance being provided to Nuevo Leon, Oaxaca, and Puebla for the drafting of state Victims' Assistance Laws.

Legislative Scorecards

USAID finalized scorecards to measure the quality of criminal procedure codes, as well as Alternative Justice and Victims' Assistance legislation. The scorecards use a rating system that transforms qualitative data into a quantitative performance measure. USAID will use these tools to assess the performance of its Justice and Security Program with regards to legislation and to ensure that laws are in line with the NCJS. The victims' assistance scorecard will initially be useful for support being given in Puebla, Nuevo Leon and Oaxaca, mentioned above. In Q2, USAID will utilize the Alternative Justice scorecard as it supports the drafting of this legislation in Oaxaca and Puebla.

Challenges and Opportunities

Challenges

In Puebla, it has been a challenge to develop a packet of legislation that includes all the necessary components for effective reform implementation in a harmonious and consistent way. It is critical that this legislative framework be established to regulate the functions of all of the actors that take part in the state criminal justice system.

In Morelos, frequent changes of officials involved in the PTS system has made it difficult to ensure consistency in their understanding of, approach to, and advance in PTS in the state. Additional political changes are expected during 2012.

Opportunities for Quarter Two

Puebla

Due to comprehensive, ongoing TA, great progress has been made on drafting reforms to the Puebla legislative framework to bring it in line with the NCJS. As the political will exists in the state to fully implement the CJR, there is a great opportunity for these reforms to be submitted to the state legislature and for assistance to continue to be provided for the drafting of Alternative Justice and Victims' legislation.

Morelos

In Morelos, despite the numerous changes in political parties and counterpart officials of the PTS system, a base group continues to work within the system and can share their PTS philosophy with newcomers. Also, resources and support have been secured for the implementation of PTS in 2012, so it will be a good time to provide technical assistance for the adjustment of PTS legislation to accommodate the adults system.

Task 1.2 – State and federal legislation for Criminal Justice Reform in line with international human rights standards passed by legislative branches

Under Task 1.2, the Program worked to promote insightful discussions for the improvement and eventual passage of the Federal Criminal Procedure Code (FCPC), currently being debated by the Federal Congress. In addition, advances made in six of the laws being accompanied by the Program's technical analysis indicate that it is likely that they will be discussed by state congresses in Q2, with the aim of achieving their passage. Please refer to our discussion under Task 1.1.

Federal Criminal Procedure Code to Federal Congress

Following the submission of the FCPC to Congress on September 21, 2011, by President Calderón, USAID continued to provide TA to Congress members and worked with other prominent civil society stakeholders such as the OTN, Renace and Mexico SOS to improve several issues it has identified in the current draft, including: excessive formalities for the investigation, restrictions on the use of plea bargaining and AJMs, and the appellate decision mechanisms which are not in accordance with an accusatorial system. These CSOs and USAID then jointly conducted four forums on the FCPC for members of the Federal Congress.

Four major themes were discussed in the forums: the standards for pre-trial detention, prosecutorial discretion for case management, exceptions to the hearsay rule and the appellate system. They entailed the involvement of key bar lawyers and law professors and triggered the discussion of the benefits of the new presidential bill. The forums were also available for viewing on the internet, and the major bar associations and universities participated in the discussions. As a result of these events, 29 members of the Federal Congress Justice Commission and their advisors were able to understand the scope of the bill submitted by the President and are now spurring discussion on the Code's pending issues. Once Congress begins discussing the bill, the recordings of the forums will be available online and will serve as reference materials. Among the issues being debated are the need to create a more flexible investigation oriented towards the empirical basis of each case and strategies necessary to obtain the best possible results. Legislators and their advisors are working with materials provided by USAID.

The impact of the FCPC cannot be overemphasized because it sets the basis for the effective functioning of all the major participants in the federal criminal justice system. The FCPC provides the rules that will regulate how investigations will be conducted and establishes the new roles of police, prosecutors, public defenders and judges. It institutes new rules for the implementation of due process in accordance with

international HR standards, and it establishes new AJMs and diversionary programs.² CSOs and other stakeholders had noted that the federal reform was suffering from slow-paced implementation, but with the formal presentation of the FCPC, it is expected that activities promoting the final approval of the FCPC will increase significantly and federal-level implementation will likewise speed up. As such, USAID is committed to working with legislative and civil society partners to promote the passage of an improved version of the FCPC that is in-line with the 2008 constitutional reform and international HR standards.

Chihuahua Reforms Evaluated

In Q1, USAID developed two projects related to ensuring that Chihuahua legislation remains in line with the NCJS.

1. It developed an analysis on the two reforms to the Criminal Procedure Code that have been passed by the Chihuahua State Congress (the first on January 30, 2010 and the second on May 7, 2011) and identified that these amendments are in contrary to the 2008 constitutional reform, in particular as they go against the principles of due process and rule of law standards outlined by the NCJS. The critical issues with these counter-reforms include: 1) extension of time a person can be detained without a warrant when arrested *in flagrante delicto*; 2) broader circumstances under which pre-trial detention can be applied; and 3) greater power for the prosecution to introduce hearsay, while simultaneously limiting the capacity of the defense to refute evidence.

2. Based on the need to educate Chihuahua citizens and legislators on these issues, USAID then began developing a guide to the reform in Chihuahua. The publication will explain the reform process and initial ideology behind the reform in Chihuahua, as well as the various adjustments it has undergone since those initial stages. It will provide an analysis of the modifications made to NCJS legislation with respect to the constitutional reform of 2008 as well as international HR standards. The scholars that will contribute to the publication have been selected, as well as the topics and structure of the book.

Challenges and Opportunities

Challenges

The fact that there will be presidential elections in 2012 makes it a real challenge to achieve a consensus across political parties for the passage of the FCPC.

Opportunities for Quarter Two

USAID will continue to work extensively with civil society, empowering citizens and CSOs with the technical capacity to engage the Federal Congress and political parties regarding the FCPC. The presidential election in 2012 provides civil society with the opportunity and scenarios to make the FCPC an important topic in the campaigns.

²In general terms, a *diversionary program* is an alternative method of conflict resolution. It diverts the main course of proceedings to other than formal court mechanisms, such as the suspension of the prosecution when first time offenders agree to comply with certain conditions imposed by the judge (known as *suspended conditional procedure*) and other agreements that can be reached among the parties in the course of the procedure.

Objective 2: Results Achieved

In Q1 of FY2012, the JASP made significant steps toward meeting the goals established in the PMP and work plan. These included achievements related to: providing TA and training to state SETECs on project development and management; analyzing and proposing to the Federal SETEC the best indicators to monitor reform implementation; developing and implementing institutional strengthening plans for State AJCs, AG Offices and SSPs; and conducting study tours among target states to facilitate the exchange of best practices and lessons learned in executing the new system and providing alternative justice services. Details on these and other achievements are included under Tasks 2.1 and 2.2.

Task 2.1- Capacity of inter-institutional committees to coordinate implementation of the CJR improved

As promised in the work plan, USAID conducted its first training on project development and management for the Morelos SETEC in Q1. It also provided assistance to four additional state SETECs and the Federal SETEC to improve their capacity to coordinate reform implementation. Also in line with the results set out by the work plan, USAID conducted the pilot of the citizen perception survey; updated the database of indicators to monitor the justice system through December 2011; and took the initial steps for carrying out its field study in Baja California and Durango.

TA for State SETECs Regarding Project Planning and Administration

Training Course on Project Development and Management in Morelos

The first training seminar for SETECs on project development and management was carried out during the quarter, namely for the Morelos SETEC in December, which focused on training programs, planning and institutional reorganization, among other topics, providing the staff with the skills to execute the CJR independently. USAID also assisted the Morelos SETEC in the development of a document outlining its achievements to date, areas for improvement and next steps in order to ensure continuity of its activities. This assistance empowered the Morelos SETEC to better coordinate reform implementation independently. As in January 2012, the NCJS entered into effect in the entire state territory, the SETEC's capacity to design and manage reform implementation projects will be pivotal to ensuring the success of the new system statewide.

Institutional Strengthening Plans for State SETECs

USAID worked with the SETECs in several target states this quarter to establish working relationships that will serve to advance reform implementation and improve their capacity to develop and manage projects.

Chihuahua

USAID worked with the State SETEC to identify areas that require USAID support for institutional strengthening. Training on developing, funding and managing implementation projects will follow in Q2, with the objective of providing the SETEC with the skills to effectively execute and monitor reform projects for improved operation of the NCJS.

Nuevo Leon

USAID also provided TA to the Executive Commission for the Nuevo Leon Criminal Justice Reform (SIJUPE, acronym in Spanish), focusing on inter-institutional coordination. Accomplishments include: i) a focal point has been designated for each justice system institution; ii) an organizational structure has been created to address the Nuevo Leon approach to reform implementation by type of crime; and iii) units for



PTS and detention regulation (the office that ensures the legality of arrests made in flagrante) have been created. These steps will be key to ensuring successful implementation of the new system in Nuevo Leon, which began on January 1, 2012.

Oaxaca

With USAID TA, the Oaxaca AG Office began the development of an institutional strengthening plan for the State SETEC, which it is not yet properly functioning. USAID provided the AG Office—which has been charged with coordinating the plan’s development—with the following: an outline of possible management and organizational structures; the roles and functions of the coordinating committee and its officials; and a training proposal, all to form part of the institutional strengthening plan. This strengthening plan, completed in January 2012, will be key to providing the State SETEC with the capacity to effectively coordinate reform implementation in Oaxaca.

Puebla

Throughout the quarter, USAID has built the capacity of the Puebla SETEC (CEAMPAJ) to coordinate reform implementation through the following: 1) recommendations for more effective internal management and organization; 2) implementation of monitoring and evaluation tools for the State SETEC’s projects; 3) provision of USAID initial training programs to facilitate comprehensive and sustainable trainings for justice system operators; 4) feedback on a cost-benefit analysis of reform implementation conducted by Puebla; and 5) facilitation of a judicial exchange with the Durango State SETEC to share best practices and lessons learned applicable to the state of Puebla, particularly with regard to its dissemination program for the CJR.

General and Updated State Reports on the Field Study that Monitored Reform Implementation

Field Study to Monitor Implementation of the Reform-Advances on Reports

In FY2011, the Program conducted a field study to monitor reform implementation in the five states that have been implementing the reform for more than one year: Chihuahua, Morelos, Oaxaca, the State of Mexico and Zacatecas. Based on this study, USAID then drafted five state reports and a General Report, comparing the data collected in each state and giving an overall evaluation of the reform in Mexico. The General Report is in its final stages, and features an evaluation of the performance and impact of the new system, documented best practices and lessons learned, particularly with respect to transparency, rights of victims and the accused, and functioning of AG Offices and courts. The findings indicate that under the new system there is greater transparency and protection of the rights of the victim and the accused, although the document notes areas for improvement in the efficiency and quality of Victims’ Assistance services. By comparing states with the new system and states without it, the findings show that the percentage of investigations resolved tends to double and in some cases triple in jurisdictions with the reform being implemented. Indeed, findings indicate that prosecutors in states where the new system has been operating for more than one year are twice as efficient as their counterparts in other states, as demonstrated by the percentage of criminal cases solved in states such as Chihuahua (42.4%), Oaxaca (40.1%), and Zacatecas (32.7%). USAID shared these findings, including lessons learned and best practices, in a presentation during the “International Experiences in the Implementation of the Accusatory System” Forum in Baja California, in which 121 prosecutors, private attorneys and members of bar associations participated.

Two state reports have been completed, namely those of Chihuahua and Oaxaca, while the reports of the State of Mexico, Morelos and Zacatecas are awaiting approval by the Justice Studies Center of the Americas (CEJA, acronym in Spanish). In Q1, USAID conducted a validation seminar for the State of Mexico report in particular, during which the data in the report was verified and stakeholders were

provided with an opportunity to give feedback.

The commitment made by the Federal SETEC to assist USAID in the dissemination of the reports by making the findings available on its website marks a major achievement for the Program.

Initial Steps Taken on Field Study in Durango and Baja California

Coordination has begun with authorities in Baja California and Durango to likewise conduct the study in these two states, as they now have completed a year of implementing the reform. These reports will assist federal and state-level SETECs to improve implementation by addressing the issues that have been identified as critical and pursuing actions based on the recommendations made.

Database on Indicators Related to Crime Rates, Performance of Justice System Institutions, Administration of Justice and Human Rights Updated

USAID updated its database of indicators related to crime rates (through November 2011), police evaluation (through January 2012) and imprisonment (through October 2011). Indicators related to administration of justice and the criminal justice process are updated with 2010 data. This database allows the Program a timely and useful resource of information that is available when necessary and is also pivotal for USAID research projects and analyses. The Program also shares these indicators with research organizations such as *México Evalúa*, CIDAC, the Citizen Institute for Insecurity Studies (ICESI, acronym in Spanish) and the OSJL. Of particular use by the public is the data on the impunity rate for intentional homicide (80% in 2010), which was featured in an article in the national newspaper *Reforma* on January 13.

Analysis of Best Indicators for Monitoring Reform Implementation

Throughout the quarter, USAID developed an analysis of important performance measures for monitoring reform implementation to be provided to state SETECs. Indicators address topics such as the performance of justice sector institutions, the administration of justice, sentencing, prison populations, crime rates and HR. It proposes 57 indicators that will allow state SETECs to measure the performance of the NCJS. These indicators serve as the basis of USAID research initiatives and provide useful information for a sound analysis of the effectiveness of the new system. They will be applied as part of the abovementioned field study to monitor reform implementation to be carried out over the coming months in Baja California and Durango. They have already begun to be applied by the Baja California AG Office.

Citizen Perception Survey Piloted

USAID made significant advances on the national citizen perception survey, which will measure the perception among justice system operators, users and the general public, and which is being conducted in close coordination with the Federal SETEC. In Q1, the methodology, reach and categories of analysis of the survey were determined, and it was agreed that the survey would focus on justice, transparency and efficiency. A pilot phase was carried out, during which 250 individuals in Mexico City completed the questionnaire. During the last week of December, four research companies were selected to conduct the field work, as well as a company to coordinate the work. Thus, in Q2 of FY2012, the survey research teams will interview 16,000 citizens, 500 in each of the 32 Mexican states. The results will provide insightful information on citizens' perception and understanding of the NCJS, enabling USAID to address any shortcomings and thus contribute to the sustainability of the reform.

Challenges and Opportunities

Challenges

A key challenge has been the establishment of working relationships with institutions that have just

recently been created or that are undergoing consolidation and are thus subject to political changes, both at the national and state level. For example, the Hidalgo SETEC was recently created and in Oaxaca it is still in the process of being established. The Federal SETEC, as well as the state SETECs in Baja California, Chihuahua, Morelos, Nuevo Leon and Puebla are in the process of consolidation. Coordinating activities among state SETECs has also been a challenge, as many have varying levels of technical capacity. Similarly, state SETECs have varying degrees of political power and capacity to coordinate the actions of state justice sector institutions.

Opportunities for Quarter Two

USAID will strive to ensure equal capacity among the SETECs in target states in terms of project design and management, in particular to prepare them for the various calls for proposals for federal funds that will open in Q2. USAID aims to build and standardize the coordinating capacity of the SETECs via inter-institutional TA sessions and the design of coordination tools. Further support for internal organization for state SETECs will likewise be provided.

Task 2.2 – Capacity of justice system institutions to implement CJR strengthened

As discussed in the work plan, USAID advanced on several results, including: the implementation of coordination protocols for investigative police and prosecutors in Baja California and Puebla; TA for the establishment of PTS units for adults in Baja California and Morelos; institutional strengthening for UMECA; institutional strengthening efforts implemented in 24 AJCs; and support for Victims' Assistance in Baja California, Nuevo Leon and Oaxaca. See below for more details on these and other achievements.

Tools for Justice Sector Institutions

Competency Profiles

USAID has been actively implementing its competency profiles throughout the quarter. The competency profiles, developed by USAID and completed in Q3 FY 2011, identify the skills, values and knowledge that operators need to effectively carry out their roles under the new system with efficiency, and high quality and professional etiquette, and serve as a useful tool for the design of training programs, as well as the recruitment, training and evaluation of operators. At the state level, USAID built the capacity of the following institutions by sharing the profiles: the Baja California AG Office, the Morelos SETEC, SIJUPE and State AG Office in Nuevo Leon, and the Federal Special AG Office for Crime Victims' Assistance (PROVICTIMA, acronym in Spanish).

USAID also presented the competency profiles for public defenders, judges and investigative police to the Federal SETEC needs, so that it would adopt them to be implemented nationwide. This will go a long way toward ensuring justice sector institutions are capable of comprehensively and successfully implementing the CJR, while also increasing the transparency of the hiring process for public servants.

Coordination Protocols for Prosecutors and Investigative Police Implemented

USAID has been applying its coordination protocols for prosecutors and investigative police that it completed in June in Baja California and Puebla. USAID also carried out a review of the protocols in October to identify any areas for further improvement, focusing in particular on the prosecutor side of the relationship to ensure the functions of the two bodies are equally clear and detailed. In October 2011, USAID finalized a procedural manual for coordination between prosecutors and investigative police during investigations, and in December, it finalized general guidelines to facilitate cooperation between the operators and to complement the coordination protocols in Baja California, which it had been developing since early September 2011. In the case of Puebla, USAID provided TA to the AG Office to

begin implementation of the coordination protocols. In November 2011, USAID began a five-month process to facilitate the cooperation of investigative police and prosecutors, based on a work plan developed in line with the protocols. The coordination protocols, as well as the supporting guidelines, serve as key tools for justice institutions to establish agile and permanent collaboration between prosecutors and investigative police, improve investigations and strengthen the overall operation and sustainability of the adversarial system.

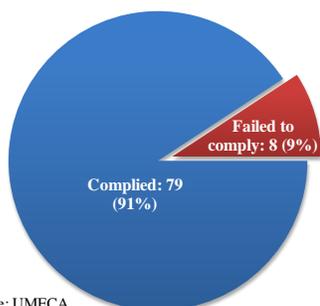
The Baja California Sexual Crimes Department, which began implementing the protocols in October, has already seen a 106% increase in productivity, in terms of the number of cases resolved successfully and efficiently. In December, it definitively resolved and closed 86% of the cases it received.

Pre-Trial Services

The Pre-Trial Services Unit for Juveniles (UMECA)

The UMECA, created in February 2011 with USAID assistance, is the first of its kind in Mexico and Latin America. USAID assisted the Morelos State SSP in the creation of this Unit and continues to

Status of compliance or non-compliance with the precautionary measure



Source: UMECA

provide support on a regular basis. PTS represent a pivotal aspect of the NCJS that is based on the presumption of innocence, ensuring the rights of the accused and reducing prison overpopulation. Since UMECA's opening, USAID has developed a curriculum guide for training and providing feedback based on performance evaluation. As a result, the Unit serves as a model for other Mexican states as well as the entire region. Indeed, given the success of the UMECA, USAID played a key role in the Latin American Conference on PTS, which honored the UMECA and included the participation of 70 representatives of countries from the region and states throughout Mexico. In Q1, USAID

conducted data-gathering sessions with operators working in the juvenile system and UMECA officials to assess the Unit's performance. USAID aims to ensure UMECA's continued success by providing it with recommendations derived from the assessment and the necessary TA to accompany it. Problem areas identified include the supervision of precautionary measures and inconsistencies between decisions made in court and the written form of those decisions sent to UMECA with regard to these measures.

Preliminary analysis shows that judges, prosecutors and defenders perceive that juveniles are complying with and have confidence in UMECA's recommendations on precautionary measures. In total, 102 juveniles have received precautionary measures other than pre-trial detention, of which 87 have been supervised by UMECA. Of those under UMECA's supervision, 79 (90.8%) have complied with their precautionary measure and 8 (9.19%) have failed to comply.³ Of the total reported by the juvenile court (102), 15, or 15%, are women.

USAID completed the assessment, which identifies best practices, necessary improvements and training needs, and began providing the necessary TA to accompany it. The findings indicated areas for improvement, including: 1) protocols for registering and classifying information, ensuring its protection and confidentiality; 2) clear definitions of the responsibilities and duties of each position; and 3) more comprehensive standard operating procedures (SOP). Each of these issues will be taken into consideration for the UMECA Operating Manual currently being updated by USAID, which will provide all SOPs and regulations to guide how the unit works and will focus on monitoring, information sharing,

³ While the juvenile court has applied precautionary measures to 102 cases, 15 of those are not registered by the UMECA system. As such, there are only statistics on the 87 cases included in UMECA's database. One of the issues identified by the USAID assessment of UMECA is the timely and systematic registration of information. Through its technical assistance, USAID aims to improve this aspect over the coming months.

and the responsibilities assigned to each area of the Unit. USAID is currently working to improve the database system and train those who capture the data, as well as to implement a monitoring department to oversee the use of information. UMECA’s success has spurred political will for extending the system to adults in Morelos and establishing a PTS unit in Baja California. Its role as a model is pivotal for the country and the region. As such, USAID’s ongoing assistance to ensure the continued success of the juveniles unit is critical to supporting the extension of these services. For an UMECA success story, please refer to Annex 1.

Advances in Implementing Pre-Trial Services for Adults

This quarter USAID contributed to the establishment of PTS committees in Baja California and Morelos. These committees are leading the implementation process for PTS units for adults in both states. USAID has continued providing TA during each session of the committees to support their efforts. Issues addressed by the Baja California committee include: flight risk evaluation questionnaires and criteria; workload and staff needs for the unit; and Standard Operating Procedures for the unit. In Morelos, USAID has provided the committee with support on topics such as: work plan for implementation and recruiting needs for the adults unit. Both states aim to open the new units in Q3 of FY2012. Like UMECA, these units will serve as models for the country, as they implement a key HR aspect of the new system—they will be the vanguard for PTS, providing services that embody the presumption of innocence and reduce prison overpopulation.

USAID has provided TA to the Baja California SSP in particular to conduct a pilot test of the abovementioned flight risk assessment questionnaires and criteria, developed by the State Sub-Committee for PTS with USAID assistance. The pilot consisted of interviewing 20 defendants currently under supervised release, followed by 40 defendants under preventive pre-trial detention. Results were used to determine necessary adjustments to the draft interview form.

USAID field studies show that PTS have yielded a savings of close to \$31.5 million USD in jail operational costs in reform states, in addition to a decrease in social and human costs. Furthermore, they ensure the protection of a pivotal HR aspect of the reform: the presumption of innocence. Thus, to further promote PTS for adults, USAID completed a manual on how to implement them, which will initially be employed by operators from Baja California and Morelos, but will be to the benefit of all target states. It features sections on: what are PTS; general guidelines for their operation; their governing principles; and steps for implementation. Three thousand copies of the manual have been printed and are being distributed to state justice sector institutions and SETECs. Thus far, they have been given to officials in Baja California and Morelos and were also available at the Latin American Conference on PTS. USAID will disseminate the manual to other target states as well to promote the establishment of these pivotal services nationwide.

Institutional Strengthening Plans for Alternative Justice Centers Implemented

USAID carried out various activities towards strengthening AJCs. In total, 24 AJCs were strengthened this quarter through trainings, TA and institutional strengthening plans.

Alternative Justice Centers Strengthened and Created October–December 2011

State	# Centers	Technical Assistance	Specialized training
Oaxaca	10	<ul style="list-style-type: none"> • Strengthening plan. • Development of the training plan for mediators. • Fourth state encounter for mediators. • Program for the expansion of work incentives for the personnel of the AJCs. 	<ul style="list-style-type: none"> • Basic training on mediation. • Certificate course on mediation. • Working sessions with mediators from Hidalgo and Baja California. • Training on restorative justice. • Training on trauma and resilience. • Training on transformation of conflicts.

State	# Centers	Technical Assistance	Specialized training
			<ul style="list-style-type: none"> On-the-job coaching sessions for mediators.
Baja California	11	<ul style="list-style-type: none"> Program for the expansion of work incentives for the personnel of the AJCs. 	<ul style="list-style-type: none"> Training on gender violence. Training on transformation of conflicts. Training on alternative mechanisms for conflict resolution. Working sessions with mediators from Hidalgo and Oaxaca. Training on the Criminal Justice Reform. Training on restorative justice and victims' assistance. On-the-job coaching sessions for mediators.
Hidalgo	3	<ul style="list-style-type: none"> Assessment of the Hidalgo AJC to develop a strengthening plan. 	<ul style="list-style-type: none"> Advanced training on mediation. Working sessions with mediators from Oaxaca and Baja California.

USAID is pleased to report that based on the baseline established for the target states in April 2011, the states that continue to be the main beneficiaries of USAID's capacity building support (Baja California and Oaxaca) have shown steady progress in resolving cases through AJMs. On average, in the states where USAID has provided assistance, there has been a 25% increase in the number of cases resolved through AJMs (between December 2010 and December 2011). As of December 2011, the status was as follows:

**Percentage Change in Cases Resolved through Alternative Justice Mechanisms
Comparison: Monthly Averages per Quarter**

State	2010 & Q1 2010	Q2 2011	Q3 2011	Q4 2011	Q1 2012
	Jul 2009 - Dec 2010	Jan - Mar 2011	Apr - Jun 2011	Jul - Sep 2011	Oct - Nov 2011
Ongoing TA					
Baja California	315	769	966	965	960
Oaxaca	153	93	92	103	107*
Preliminary TA					
Hidalgo	512	235	290	246	191
Chihuahua	NA	540	580	514	483
Puebla	NA**				
Average	326	409	482	457	435

*Data available as of October 2011.

**Puebla does not yet have an Alternative Justice Center. USAID is currently providing assistance for its establishment.

Sources:

Baja California: State System of Alternative Justice

Chihuahua: Chihuahua Alternative Justice Center

Hidalgo: Hidalgo Alternative Justice Center

Oaxaca: Special AG Office for Victims' Assistance, Restorative Justice and Community Services

USAID concentrated its work in Q1 in Baja California and Oaxaca. Thus, the other numbers will serve as

a baseline for future assistance. In Q2, USAID plans to extend assistance to Chihuahua and Hidalgo and continue providing support for the establishment of a center in Puebla. The steady average number of cases treated by the Baja California and Oaxaca Centers reflects increased knowledge of AJMs by the Centers' staff thanks to ongoing USAID assistance and training. As the personnel now have a greater understanding of mediation, cases take longer to be resolved as the processes follow all the five mediation steps (1. Introduction; 2. Narration of the situation by the parties; 3. Identification of each party's needs; 4. Evaluation of the situation and options for resolution; and 5. Agreement). As a result of the more comprehensive mediation processes, the percentage of compliance with mediation agreements has increased in Baja California (90%) and Oaxaca (89%). Additionally, the Centers also have a greater capacity to appropriately identify and select cases to be addressed via AJMs; this implies that some cases are redirected immediately to therapy or other departments without beginning mediation or conciliation processes.

Detailed Strengthening Efforts in Alternative Justice Centers

Baja California

USAID conducted a number of workshops with SEJAP on topics related to AJMs, as part of their institutional strengthening plan developed in Q4 of FY2011. Also as part of the strengthening plan, USAID provided TA to SEJAP with the participation of its Director and coordinators from the Mexicali, Tijuana and Ensenada offices to begin development of an incentives program for the Centers' staff. USAID gathered information and analyzed the advantages and disadvantages for the development of an incentives program and recommended that a study be conducted. As a result, SEJAP administered a survey to its personnel to compile their suggestions. This incentives program will further improve the performance of SEJAP operators, and thereby the centers' service provision overall.

As a result of ongoing comprehensive assistance from USAID, the number of cases addressed by SEJAP has increased by 205% between December 2010 and December 2011, and it has a 90% rate of compliance with mediation agreements reached. It has thus become a model of success for other states to learn from and aim to replicate.

Hidalgo

TA was provided to various Hidalgo justice sector institutions on institutional reorganization, including the AJCs, as the reform implies changes to the management and organizational structure of all justice institutions in order to ensure the proper functioning of the system. In December 2011, USAID conducted an assessment of the Hidalgo AJCs, as the foundation for the development of an institutional strengthening plan in Q2. The assessment involved applying knowledge tests and questionnaires to Center staff, observing and evaluating mediation and conciliation processes conducted, and surveying users about their experience.

Through this plan, USAID aims to increase the number of cases resolved by the Hidalgo AJC and its compliance rate for agreements reached, as it has successfully done in Baja California and Oaxaca via the same process.

Oaxaca

USAID developed an institutional strengthening plan for the Oaxaca Restorative Justice Center in Q1, based on the assessment it conducted in August and September 2011. USAID analyzed all the information obtained through its observation, interviews and surveys conducted, and prepared and interpreted graphs, tables and individual evaluations of the Center's staff. The plan identifies several areas for improvement, including: the need for specialized training on alternative methods for conflict resolution; lack of professional and financial incentives for the Center staff; and lack of resources to properly carry out all Center functions. It began to be implemented in this quarter, via a five USAID

training courses for 60 prosecutors, 12 mediators, two victims' assistance staff, three court administrators and three forensic experts. The non-Center operators were trained so that they will be better equipped to identify and redirect cases suitable for AJMS to the Center and inform victims about the services available.

This plan will be pivotal for ensuring the Oaxaca Center's continued success. AJMs have proven to be an integral part of the justice process and represent a more efficient, economical and healthier means of conflict resolution; as such, USAID encourages their implementation through its institutional strengthening plans for AJCs.

Puebla

A number of activities were carried out to support the establishment of an AJC in Puebla:

- A workshop was conducted in October 2011 for representatives of the State SETEC, Supreme Court, AG Office, Public Defenders' Office, Secretariat of Public Safety and Secretariat of Governance on the importance of AJMs and how to establish an AJC.
- A follow-up workshop was then carried out on the design and implementation of alternative justice models for the State SETEC inter-institutional committee.
- Three working groups – on infrastructure, legislation and projects – were established, to work in these areas in towards the creation of an AJC in the state.
- A study tour was led by USAID, during which Puebla officials visited their counterparts in Oaxaca to hear of their lessons learned and best practices in establishing and operating an AJC. See below for additional details.



Directing cases to be resolved via AJMs allows for fewer, but higher quality cases to enter the court system. As such, the establishment of an AJC in Puebla will go a long way toward improving the effectiveness of the NCJS in the state.

Study Tours on Alternative Justice – Peers teaching Peers

USAID conducted two study tours focusing on alternative justice in Q1.

The first took Puebla officials to Oaxaca, Oaxaca, to share lessons learned and best practices for the establishment of an AJC, with the ultimate objective of improving the operation of the NCJS overall in Puebla. Representatives of the Puebla State SETEC, AG Office and Supreme Court of Justice participated in the tour. Participants agreed on follow up cooperation, including the sharing of information and assistance for mutual strengthening and follow up working sessions.



The second USAID-conducted study tour was organized for officials from the Oaxaca and Hidalgo AJCs to visit SEJAP in Mexicali, Baja California, during which participants discussed: early attention units and their need to identify cases that could be addressed via AJMs; the usefulness of surveys to evaluate services rendered; and the need for coordination between prosecutors and mediators for effective functioning of AJCs. The Hidalgo and Oaxaca representatives plan to improve their own Centers in these areas based on the SEJAP model and experience.

Both of these tours served as key judicial exchanges between target states for improved reform implementation, allowing for the development of synergies and providing a forum for the rapid exchange of ideas, best practices and lessons learned.

Institutional Strengthening Plan for the Nuevo Leon Family Justice Center Implemented

During the quarter, USAID provided TA to the Nuevo Leon Family Justice Center, specifically on its draft Operating and Procedural Manual, the previous version of which was not in line with the NCJS. The improvement of this manual will ensure that the Center functions efficiently and effectively, providing victims' assistance services with high standards as guaranteed by the 2008 constitutional reform. The Program estimates that the NL Family Justice Center will assist 9,000 persons in 2012.

Institutional Strengthening Plans for Women's Justice Centers Implemented

Women's Justice Center in Mexico City

Throughout the quarter, USAID has continued its collaboration with National Commission for the Prevention and Eradication of Violence against Women (CONAVIM, acronym in Spanish) and the Mexico City Women's Institute towards the creation of a Women's Justice Center in Mexico City. This Center will provide critical services (such as psychological, social and legal) for women victims of crime, guaranteeing their rights as outlined by the 2008 constitution. A specialist has been hired by USAID to provide recommendations on the SOPs and organizational structure of the Center prior to its opening, scheduled for March 2012. The Program estimates that the Mexico City Women's Justice Center will assist 500 persons in FY 2012.

Manual on "How to Create a Women's Justice Center" Adapted to the Mexican Judicial Framework Published

Manual on "How to Create a Women's Justice Center" Translated

USAID, in coordination with CONAVIM, adapted the manual "How to Create a Women's Justice Center" to the Mexican context using the National Family Justice Center Alliance of San Diego, California model. This quarter, the manual began to be translated into Spanish. The manual will serve as an essential tool for states to implement such Centers and provide victims' assistance services in accordance with the 2008 constitutional reform and international HR standards. Victims' assistance is a priority under the new system, as under the old inquisitorial system, very few opportunities existed for victims of crime to be assisted or compensated. In Q2, USAID will review and refine the translation and adaptation of the manual and later share it with the Executive Secretariat of the National System of Public Safety for their comments, ahead of publication. The Program estimates that the Family and Women's Justice Centers targeted by the Program (Monterrey, NL, Ciudad Juarez and Chihuahua, Chihuahua, and Oaxaca) will assist 2,000 persons in FY 2012.

Institutional Strengthening Plans for Victims' Assistance Units in line with the NCJS Implemented

Victims' Assistance Unit in Oaxaca

In December, 2011, USAID provided TA to the Victims' Assistance, Restorative Justice and Community Services Office of the State Judiciary for the improvement of its victims' assistance model. Several issues were identified, including: internal protocols, regulation of documents, and the physical structure of its assistance center. This assistance is being carried out in coordination with USAID's TA to the State AG Office towards the drafting of a draft Victims' Assistance Law (see Task 1.1 above for more information). USAID aims to ensure that victims' rights are protected in accordance with the 2008 constitutional reform and international HR standards.

Creation of a Special Attorney General's Office for Victims of Gender Crimes in Oaxaca

During the quarter, a Special AG Office for Victims of Gender Crimes was created in Oaxaca, which stemmed from what was originally a less prominent unit within the State AG's Office. This promotion was a result of USAID efforts, as the director of the lower unit received 392 hours of USAID training, providing herself and her staff with a greater understanding of victims' rights and assistance and an increased capacity for providing quality victims' assistance services, as well as a better position for lobbying for the creation of a Special AG Office. The creation of this office demonstrates the significant impact towards sustainable implementation of the reform that can result from USAID trainings.

Certificate Courses in Nuevo Leon and Baja California

Since October 2011, USAID has been conducting two certificate courses on victims' rights and assistance under the NCJS: one in Nuevo Leon and one in Baja California. This course is building the capacity of the participants to guarantee victims' rights as outlined by the CJR and provide quality victims' assistance services. It addresses topics such as: burn-out syndrome, preventing victimhood, reinsertion into communities, and restorative justice as a way of addressing victims' needs. As the training will be completed in February 2012, the participants were not accounted for in this quarter's training numbers. They will be reported, along with the results of the evaluations, in Q2.



Technical Assistance to PROVICTIMA

USAID provided TA to PROVICTIMA, primarily on training programs. USAID presented a work plan for collaborative activities, including its training programs, to build the capacity of staff of victims' units to provide quality victims' assistance services. PROVICTIMA agreed to the plan, and proposed a few additions, including a workshop with the directors of the state offices and a joint TA session for it and the Oaxaca State Special AG Office for Victims' Assistance. Assistance will continue to be provided in Q2. USAID plans to collaborate with CONAVIM and the National Autonomous University of Mexico (UNAM, acronym in Spanish) in Q2 to conduct its certificate course on victims of crime in the NCJS. USAID's TA to PROVICTIMA will provide its staff with the knowledge and skills necessary to provide effective victims' assistance services in line with the NCJS at the federal level.

Challenges and Opportunities

Challenges

USAID has encountered the following challenges: liaising and data sharing with justice sector institutions, establishing a comprehensive reform implementation strategy involving all institutions in both the formulation and implementation stages, and designing a comprehensive model for institutional reorganization, due to the complexity of the institutions with various departments and branches, as is the case of state AG Offices in particular.

Opportunities for Quarter Two

USAID is currently working to establish a comprehensive institutional strengthening strategy via the performance improvement model. USAID also aims to define a comprehensive model of support for the various justice providers, such as AJCs, Victims' Assistance Centers and investigative police departments. Further, USAID will strive to increase the number of institutional strengthening activities in state Supreme Courts and Public Defenders' Offices, as thus far state AG Offices have received a considerably greater amount of TA from the Program.

Task 2.3 – Capacity of justice system operators to implement the CJR strengthened

Program trainings build the capacity of operators to function under the NCJS, yielding significant improvements in the system. USAID fulfilled expectations established in the work plan, as in Q1, 92.4%

of trainees demonstrated that they had acquired knowledge in the trainings, receiving increased scores on their post-tests. The success of Program trainings is seen in real results in the effective operation of the system: prosecutors are twice as efficient in reform states; the Baja California and Oaxaca AJCs brag a 90% and 89% compliance rate, respectively, with agreements reached through AJMs; reform states like Chihuahua and Oaxaca have reduced their case processing time to less than half of non-reform state average (170 days)—to 73 days in Chihuahua and 86 days in Oaxaca; and the Baja California Sexual Crimes Unit has improved performance by 106%. All of these improvements required comprehensive training for operators to properly function under the new system. More information is included below. The success of USAID’s trainings is also illustrated by two articles in *El Universal* and the *Sol de Hidalgo* newspapers.

Training Material for Justice Sector Operators Developed and Delivered to Training Institutes

Training Programs Updated

USAID finalized its update of its training curricula for mediators based on the competency profile. The program comprises all the essential knowledge and skills that mediators must have in order to properly function in the NCJS. The adjustments put additional emphasis on “hands-on” exercises and workshops that teach participants how to use the theoretical knowledge gained, and in particular focus on the foundations of restorative justice mechanisms, and techniques for the resolution of conflicts, mediation and promoting resilience for victims. During the quarter, USAID also developed and completed its updated training programs for judges, also based on the competency profiles. The updated design will further address all the essential capacities that judges must have in order to fulfill their functions in the NCJS. For judges, subjects improved included, among others: directing and issuing rulings in oral trials, and pre-trial, initial and intermediate hearings.

Both updated programs—along with those for prosecutors, public defenders and investigative police—were shared with the Federal SETEC, for incorporation in their Master Training Program, thereby contributing to the overall sustainability of reform implementation. The Federal SETEC also agreed to have USAID as a non-voting member of the SETEC Training Committee, providing the Program with the chance to ensure nationwide comprehensive training programs for justice sector operators.

Training Institutes Strengthened

Throughout the year, USAID has coordinated with the training institutes of justice system institutions to develop and deliver comprehensive training programs for operators on their roles under the NCJS. These collaborative efforts aim to build the institutes’ capacity to implement such programs independently, thereby contributing to the sustainability of the reform and of the Program’s work. During this quarter in particular, six institutions have adopted training plans with Program assistance, meeting 54% of the Program target of 11. USAID developed a training course for public defenders on their new roles under the NCJS that was adopted by the Public Defenders’ Office in Morelos for their internal workshops. Additionally, the USAID training program for mediators was adopted by the SEJAP in Baja California and the Oaxaca Restorative Justice Center.

USAID courses for investigative police have been adopted by the Baja California AG Office and SSP, and the Hidalgo Police Training Institute. The general training program for investigative police has been institutionalized by the Baja California AG Office, while the State SSP is implementing the following courses developed with USAID assistance: introduction to the NCJS, investigation skills under the NCJS, updating course on the NCJS for police, certificate course on oral trials, and certificate course on police investigations. The Hidalgo Training Institute has likewise adopted the USAID introduction to the NCJS and investigation skills under the NCJS workshops.

E-Learning Program for Investigative Police

USAID completed the development of its e-learning program in Q1 for investigative police consisting of two courses: “introduction to the adversarial criminal justice system,” and “crime scene investigation,” which will be conducted through interactive exercises and evaluations to monitor progress. The course will improve the participants’ ability to fulfill their new roles within the new system. This program will allow USAID to build the capacity of a greater number of operators within investigative police departments at a lower cost and will promote sustainable reform implementation as it will be adopted by state institutions. The pilot phase will begin in Q2 for 100 investigative police from the states of Baja California, Hidalgo, Nuevo Leon and Puebla. These four states have agreed to formally adopt the e-learning program to train both municipal and state police independently of USAID assistance at the close of the pilot course.

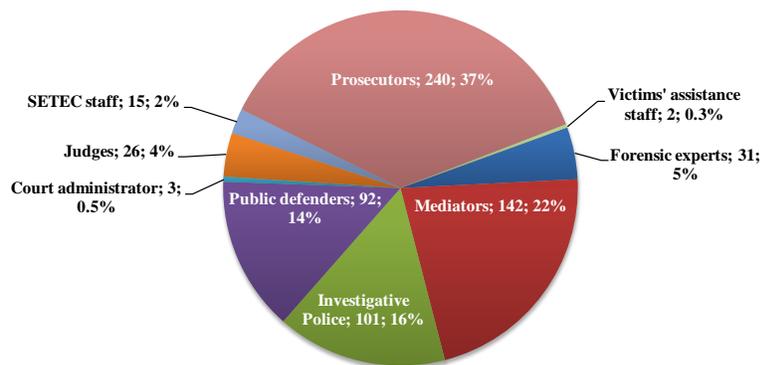
Training Institutes: Judicial Exchanges from Puebla to Baja California

USAID conducted two judicial exchanges in Q1, through which 60 prosecutors, investigators and forensic experts from Puebla learned about the reform implementation process in Mexicali, Baja California. The groups were captivated to see the system in action and excited to apply what they learned. A particular focus was on coordination among the Puebla operators, who, through the USAID tour, came to recognize the need to see each other as equal players in the justice process, embracing the phrase: “*nadie es más, nadie es menos*” (no one is more or less than the other). The trip facilitated their application of lessons learned from Baja California in Puebla, which will begin operating under the NCJS in 2013. The working relationships established between the Baja California and Puebla participants, as well as the best practices identified from the Mexicali experience, will be a key advantage for reform efforts in Puebla. For a full success story on these judicial exchanges, please refer to Annex 1.

1,500 Justice System Operators Trained

Capacity Building for Justice Sector Operators

In total, **652 justice sector operators** (309 women and 343 men) including judges, prosecutors, public defenders, investigative police, mediators, SETEC officials, victims’ assistance center staff, forensic experts and court administrators were trained in 1,048 sessions.⁴ Training subjects included litigation in initial and intermediate hearings, AJMs, criminal investigations under the NCJS, victims’ rights and assistance, and directing and issuing rulings in hearings, among others.



The training of justice sector operators can be disaggregated as follows: 37% (240) of the trainees were prosecutors; 16% (101) investigative police; 14% (92) public defenders, and four percent (26) were judges. Further, five percent (31) of training recipients were forensic experts, 22% (142) were mediators, 2% (15) were SETEC staff, 0.3% (2) were victims’ assistance center staff and 0.2% (3) were court administrators.

All justice sector operators trained were from target states: 38% were from Baja California, 16% from Hidalgo, 16% from Nuevo Leon, 12% from Oaxaca, 12% from Puebla and 7% from Morelos.

⁴ In Q1, USAID trained 652 justice sector operators, of which 21 participated in five distinct courses, 23 participated in four distinct courses, 24 participated in three distinct courses, and 195 participated in two trainings, bringing the total of “training lessons” imparted to 1,048. As some individuals participated in more than one course, these numbers reflect “training lessons” rather than the absolute number of persons.

Since November 2010, the average number of hours of training per operator has increased significantly. Prior to April 2011, the average number of hours per operator was less than 35, while during this quarter the average was 67.4 hours. This demonstrates that the capacity of each trainee is being significantly built over the course of several trainings addressing different topics relevant for proper functioning under the NCJS.

This quarter USAID carried out 50 training seminars, including ten ToT courses and two certificate courses.⁵ Most of the training courses were carried out in Baja California (26). Training courses were also conducted in Nuevo Leon (7), Morelos (6), Oaxaca (5), Hidalgo (3), and Puebla (3). Per operator, almost half of the courses were imparted to prosecutors (14) and public defenders (12), and the rest were conducted for mediators (8), investigative police (7), judges (4), inter-institutional operators (3) and victims' assistance center staff (1).



Master's on Human Rights for SSP Officials

This quarter, the Latin American Institute of Educational Communication (*Instituto Latinoamericano de la Comunicación Educativa*) conducted part of the Master's Certificate Program in HR and Security for 300 officers (160 women and 140 men) of the Federal SSP, which is building the capacity of the participants in the promotion of and respect for HR. The introductory course was completed in October, followed by module one on the "Democratic Rule of Law and Human Rights," which began in October and will continue through March 2012. The program consists of four modules in total, to be completed by March 2013. The officers are split into 20 groups, each of which has a specific tutor and attorney assigned to it to provide feedback on coursework, answer questions and facilitate productive discussions. Graduates of this program are expected to apply their learning to the design, implementation and evaluation of public policies related to public safety and HR.

Methodology and Tools for Evaluating Trainings Tested

Measuring Training Effectiveness

USAID also carried out a standardization and updating of the pre- and post-tests for trainings, which provide comprehensive data on the knowledge and skills acquired by participants in USAID trainings and give useful feedback on the effectiveness of training programs, areas of need and aspects to be improved. The standardization process involved ensuring that all tests, whether for police trainings, ToT trainings, and so on, meet the best-possible structure for pre-post testing with a variety of question types and effective matching of the difficulty of questions between the pre-test and post-test. The updating was with regard to pre- and post-training evaluations for investigative police in particular, as previously some questions in the pre-tests were not sufficiently challenging and as such did not allow for adequate comparison and contrasting between the pre- and post-tests. The tests were also modified to better reflect training material that is unique to the course that participants are unlikely to have learned elsewhere. In November 2011, after the completion of a pilot, these tests were institutionalized and made obligatory for all Program trainings.

Training Evaluations Conducted

Results of Pre- and Post-Training Evaluations

⁵ The trainees from these two certificate courses and one training course for investigative police will be reported next quarter, as they end in Q2 2012. .

To measure knowledge acquired in training courses, instructors applied two tests: one prior to the start of the course and another upon its conclusion. These evaluations were institutionalized in November 2011. As such, from October to December 2011, 53% of trainees completed evaluations for their courses. Specifically, tests were applied to 405 justice sector operators and 48 CSO representatives, who participated in 29 training courses, for which 545 evaluations were completed. These tests were graded on a scale from 0 to 10, with ten as the best possible grade. Of the evaluations, 497 were completed by justice sector operators and 48 by CSO representatives. Of the 545 evaluations analyzed, 92.4% of justice sector trainees obtained a higher score on the post-training test than on the pre-training test, demonstrating increased knowledge of the training subject matter and surpassing the Program target of 90%.

Whether by sector, gender or state, there is a clear and consistent increase across the board between average pre- and post-evaluation scores. Among the justice sector operators, the most notable increase observed was in the scores of victims' assistance center staff, which increased by 3.3 points on average. Large increases in average scores were also noted among mediators and prosecutors (2.8 and 2.7 points, respectively). The increase in average scores among female trainees was slightly higher than their male counterparts, with an increase of 2.8 as compared to 2.3. Oaxaca was the state with the largest average increase seen in the post-tests with 4.4 points, followed by Baja California with 2.7 and Puebla with 2.6.

Courses Replicated by Program-Assisted Trainers

As of December 2011, 13 Program-trained trainers from Morelos (9), Hidalgo (3) and Baja California (1) have carried out 18 courses, thereby building the capacity of more than 1,030 law students and justice sector operators, including prosecutors, public defenders, forensic experts and municipal police. The courses represent over 475 hours of training. The trainings were carried out in Morelos (12), Baja California (4), Puebla (1), and Hidalgo (1).



Of the abovementioned Program-assisted trainers, two conducted a workshop for 15 of their peers with USAID coaching. The workshop was carried out for 15 public defenders (seven women, eight men) in Cuernavaca, Morelos. The Program-assisted trainers received coaching and feedback from a USAID expert over the course of the week. This session aimed to strengthen the skills acquired in the ToT courses to ensure that the public defenders can effectively impart their own workshops without USAID assistance.

The replication of trainings by Program-assisted trainers demonstrates the overall sustainability of USAID's efforts; the number of operators whose capacity is built through Program trainings is thereby greatly multiplied by the resulting courses imparted by its original beneficiaries.

Challenges and Opportunities

Challenges

A key challenge has been the absence of a strategic vision and thus of effective cooperation from justice sector institutions, to promote sound vetting processes for the training of their officials. Designing trainings pre and post evaluation exams has also been a challenge, but since November 2011, they are applied regularly to all trainings.

Opportunities for Quarter Two

To satisfy the high demand for its trainings, USAID aims to increase and broaden the options available by providing more study tours and also cooperating with training institutes who can also provide training. In addition, USAID will strive to systematize the training materials developed for the various areas of the

Program and continue to develop tools to evaluate the impact of these trainings. Further, USAID will increase training institutions' understanding of the vetting process, so that these institutions clarify and update their respective internal processes for selecting participants.

Objective 3: Results Achieved

Task 3.1 – CSO capacity to inform public opinion and advocate to political decision-makers on behalf of the CJR enhanced

Under Task 3.1, the Program advanced on goals set out in the work plan and is able to report on a number of notable achievements, including: the establishment of the Citizens' Justice Observatory (watchdog group) in Nuevo Leon; the training of 144 CSO representatives, including a course for defense attorneys who provide legal aid and several courses on AJMs; the training of law school professors on the NCJS through grantee CEEAD; the formation and capacity building of State Stakeholder Groups via the ANPCPC in target states; and the launching of the Strengthening Citizen Leaders project by the CPC-PGR. Furthermore, it provided assistance to more than 38 organizations, increasing their capacity to engage in advocacy and watchdog functions. Additional examples and further details can be found below.

Oral Trials Network (OTN) and Federal Criminal Procedure Code

In response to the submission of the FCPC to Congress on September 21, 2011 by President Calderon, USAID began a strategy to empower civil society to promote the improvement of the Code on issues that do not align with the 2008 constitutional reform or with international standards, as well as to engage in the FCPC's passage. This quarter, four academic forums, jointly organized by USAID and leading reform CSOs the Oral Trials Network (OTN) and the RENACE Institute, were carried out for the Federal Congress on key issues related to the FCPC. Among the topics addressed were: pre-trial detention, the prosecutorial discretion of the AG Office, appeals provisions in the FCPC bill, and regulations related to the use of hearsay and deposition as evidence in oral trials. These forums were the result of extensive collaborative work between USAID and OTN to analyze the bill and identify areas of opportunity. As the FCPC represents key legislation that will provide the framework for reform implementation nationwide, it is of utmost importance that legislators understand it, identify ways to improve it and ultimately pass it into law.

RENACE Institute and the Creation of Citizen Justice Observatory

In Q1, USAID participated in the formal establishment of the Citizens' Justice Observatory (CJO) in Monterrey, Nuevo Leon (NL). The watchdog group is coordinated by prominent CSO the RENACE Institute and made up of more than 20 organizations that work together to promote and monitor the NCJS, as well as provide suggestions for improved reform implementation. Thus far, the CJO has had three major achievements, as it: i) completed an evaluation of NL's justice situation prior to implementation of the new system, which entered into effect in January 2012; ii) finalized its internal operating manual; and iii) secured an agreement to hold bimonthly meetings with state authorities, instead of every three months as had been originally contemplated. Furthermore, new manuals for citizen monitoring of the implementation of the reform were created and put into use, whose success will provide a working model that watchdog groups can adapt to other priority states in the future. These achievements will enhance the CJO's ability to monitor and foster the reform process in NL. This observatory is the first of its kind in Mexico and represents a key effort to involve civil society in monitoring and participating in the NCJS. As such, it will serve as a model for other states, setting a nationwide trend of citizen participation.

Working with Civil Society to Promote Alternative Justice

Throughout the quarter, USAID carried out a series of activities with CSOs to increase their understanding of and promote their engagement in AJMs. In Chihuahua, USAID conducted working sessions and trainings for the establishment of a Community Network for Restorative Justice there (see proceeding section for more detail). In total, USAID conducted trainings on AJMs for 70 representatives of CSOs located in Baja California, Chihuahua, and Oaxaca. The value of these trainings for CSOs and their impact is demonstrated by thank-you letters received by USAID from trainees.

Community Network for Restorative Justice

USAID completed the first two stages of its project to establish a community network for restorative justice in Chihuahua, Chihuahua. In November, it conducted two sessions to recruit CSOs for the network. Having gained CSO interest and support, in December, USAID trained 40 representatives of 14 CSOs on restorative justice mechanisms. Based on this training, the organizations formally agreed to participate in the network, which will be established following an additional course. The project aims to build the capacity of organizations in restorative justice so that they can support both victims and aggressors and provide a more efficient and effective alternative solution to conflicts. The involvement of CSOs in this effort will help reconstruct the social fabric in Chihuahua, a state heavily plagued by violence.

National Media Campaign on the NCJS

USAID made significant advancements on its creative media campaign, for which it has hired the organization *Centro de Investigación para el Desarrollo* (CIDAC) to coordinate. The broad scope and reach of the national campaign to promote the NCJS are reflected by the campaign slogan, defined in Q1: “*Esto es la Justicia*” or “This is Justice.” Following the decision on a slogan, the videos – some national and some directed at specific states – will be produced. The drafting of their scripts is already in process. It is intended that the videos, which will target civil society and the general public, will receive thousands of web views and thereby increase understanding of the NCJS and foster positive perceptions of the reform.

State Stakeholder Groups Formed in Collaboration with the ANPCPC

In Q1, the ANPCPC conducted social dialogues⁶ in the target states of Chihuahua, Morelos and Oaxaca, and established a State Stakeholder Group in Nuevo Leon. Through these dialogues and networks of CSOs, the ANPCPC creates a forum for civil society, where issues related to public policy, justice and social wellbeing can be identified and addressed, and where stakeholders are mobilized to participate in the State Security Dialogues. In Baja California this quarter, the ANPCPC’s Stakeholder Group formed committees around the five most important problems which it had identified in an earlier social dialogue. Each committee will present proposals to state authorities on: a citizen observatory; crime prevention; culture, nutrition and sports; fomenting a culture of citizenship; and jobs for college graduates.

ANPCPC Media Campaign on the NCJS and Citizen Participation

This quarter, USAID worked with the ANPCPC on the organization’s national media campaign. It was agreed that the campaign will consist of a 30-second television ad, a 60-90-second online video, a 30-60-second radio spot, and a print media ad. It will target civil society with the aim of raising awareness about the ANPCPC and encouraging citizens, especially young people, to participate in their communities – in denouncing crime, joining organizations and local causes, and engaging with local authorities. A local advertising agency will soon be selected, and it is intended that millions of Mexicans will have the opportunity to receive positive messages that will back the reform via television, radio and the Internet.

CASEDE Survey Findings

USAID grantee *Colectivo de Análisis de la Seguridad con Democracia* (CASEDE) published the results of their national poll of 7,416 Mexicans on its website, and on the webpage of their survey company, *Sistemas de Inteligencia en Mercado y Opinión* (SIMO), www.simomexico.com. The survey places emphasis on the six Mexican states most affected by violence: Chihuahua, Guerrero, Jalisco, Michoacan, Nuevo Leon and the State of Mexico. Findings showed that 71% of Mexicans had not heard about the CJR. Of those that were familiar with the reform, 8% in Chihuahua, 44% in Nuevo Leon, and 25% in State of Mexico believe that it will improve the criminal justice system, while slight improvement was expected by 49%, 32% and 36%, respectively. These findings provide good base information on public

⁶ A “social dialogue” is a meeting of at least seven of the CSOs participating in the State Stakeholder Group to discuss local concerns and issues that the organizations want to address and to bring up with local authorities. It is distinguished from the State Security Dialogues by the fact that no authorities are present.

perception of the reform and identify areas of need to be addressed by USAID media campaigns.

Civil Society Forums on the NCJS

USAID conducted two forums to increase civil society's understanding of the NCJS.

The first was on crime victims under the new system in conjunction with the Baja California Family Assistance Center for CSOs working on prevention of violence and victims' assistance. One hundred thirty-three representatives of CSOs, the general public and justice system institutions participated in a two-hour introduction to state, federal and international frameworks regarding victims' rights and principles of victims' assistance. This included the United Nations "Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power," the "American Convention on Human Rights" from the Organization of American States, the Mexican Constitution and the Baja California legislative framework.

The second was a forum on Citizen Participation for Justice and Social Restoration, co-sponsored by the Baja California State AG Office, the State Government, and the CSOs *Justicia Por Acuerdos* and Mexico SOS. This event increased the knowledge and understanding of the 200 students, justice system operators, businessmen, attorneys, CSO representatives and civil society members in attendance about alternative justice within the NCJS. USAID successfully empowered Baja California civil society members to foster the CJR through these two events.

Development and Monitoring of Projects with the Citizen Participation Council of the Federal Attorney General's Office

During the Q1 of FY2012, USAID advanced work with CPC-PGR officials to begin the implementation of four project proposals that aim to promote citizen involvement in fighting crime and/or identifying inefficiencies, corruption or abuse. These projects include:

- Strengthening the CPC-PGR Center for Reporting Complaints to Increase Transparency and Combat Corruption;
- Strengthening Citizen Leaders for the Implementation of the Criminal Justice Reform with the result being the formation of two citizen observation groups (includes CPC-PGR state committees, journalists and the National Federation of Parents Association);
- *Ciudad Posible Sí*: A culture of mediation and justice for public schools in Ciudad Juarez; and
- *Narrar para Convivir* ("Telling Stories to Coexist"), which seeks to disseminate information on the NCJS in rural areas of Oaxaca to adults with low literacy levels.

In Q1, the "Strengthening Citizen Leaders" project launched activities, training the seven trainers that will conduct workshops for citizens in the seven USAID priority states, as well as 13 others (20 in total), over the coming months. This project represents the heart of the CPC-PGR's work with USAID, preparing more citizen leaders to promote the implementation of the NCJS. The training material to be used is a manual that was developed by the Government of Mexico's National Criminal Sciences Institute (INACIPE, acronym in Spanish), part of the Federal AG Office. It is written for the general public and titled "The ABCs of the NCJS."

These courses will be given in each of these states to three different groups: i) state committees of the CPC-PGR; ii) journalists; and iii) representatives of the National Federation of Parents' Association. The CPC-PGR worked during the quarter to select the participants for these courses which are aimed to train 1,800 persons in total (an average of 90 persons in each of the 20 states). This training will lead to a pool of better-informed citizen activists and journalists in the priority states. The other projects defined activities to begin in Q2 of FY2012.

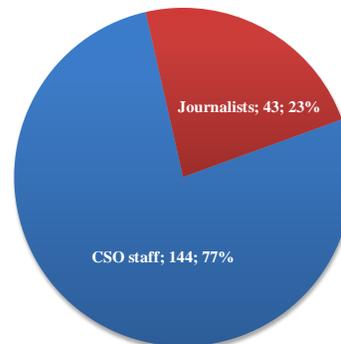
The Criminal Justice Reform Followed through Twitter

Even in its Beta format, the Program's Twitter feed has accumulated more than 150 followers and

receives a significant and growing number of tweets and re-tweets. As such, the Program provides Twitter users a new and reliable source of information on the NCJS and helps to inform a growing community of users who are coming together in favor of the reform. The Twitter feed also serves as the main vehicle for identifying members of the “Bloggers for Justice” network, a community of writers using social media to raise awareness about the NCJS with USAID support.

CSO Trainings

USAID trained **144 CSO representatives** (101 women, 43 men) in Q1, each of which received an average of 24.8 hours of training. Courses were conducted in Baja California (1), Chihuahua (1), Nuevo Leon (1), Oaxaca (1) and Mexico City (3). All courses addressed AJMs under the NCJS, with the exception of those given in Mexico City, which provided participants with an introduction to the accusatory system.



The CSOs representatives trained were from Chihuahua (34%), Nuevo Leon (30%), Mexico City (14%), Oaxaca (11%), Baja California (6%), Quintana Roo (2%), and San Luis Potosi, Coahuila and Chiapas (1% each). For information on the journalist training conducted, please consult Task 3.2, below.



One of the Mexico City courses was the first module of an intensive training program on litigation under the NCJS for 21 defense attorneys from various states that work for CSOs providing legal aid, with major representation from Oaxaca. The successful start to this eight-week course means that these CSOs will have competent attorneys well-prepared for court, and that the NCJS will have new attorneys who are capable of training others in litigation without the direct assistance of USAID. Furthermore, these attorneys will be prepared to engage in strategic and emblematic cases which will set important precedents for the future of the reform.

Increased Knowledge Demonstrated

Of the 48 evaluations analyzed, 93.8% of CSO representatives obtained a higher score on the post-training test than on the pre-training test. Their average scores increased from 5.7 on the pre-test to 7.9 on the post-test (on a ten-point scale), an average increase of 39%. The increase in average scores among female trainees was slightly higher than their male counterparts, with an increase of 2.2 as compared to 2.1. The target state with the largest average increase was Oaxaca, with 2.7, followed by Puebla, with 2.0.

CSO Capacity Building and Alliances

USAID conducted workshops on the NCJS for 24 grantees working on Trafficking in Persons (TiP) and victims’ assistance and for 17 grantees working on HR and security and justice. It also carried out a dialogue with seven Ciudad Juarez grantees. These sessions served as a platform for creating alliances and sharing lessons learned and results achieved. After working to present their best practices, several USAID grantees have formed strategic alliances thus bringing sustainability beyond the life of their grants. Future training to these same CSOs in fund-raising took place in January 2012 to further assist the future work of these groups.

Challenges and Opportunities

Challenges

It has been a challenge to actively increase the number of “followers” for the Program’s Twitter Feed while also seeking to maintain an uncontroversial character and avoid polemical debates and extreme language.

Due to the reach of the CPC-PGR Strengthening Citizen Leaders project, which conducts trainings in five states at a time, monitoring its implementation presents a logistical challenge.

It will be a challenge to engage civil society on the FCPC in upcoming months as the presidential election nears and other political issues take the forefront.

Opportunities for Quarter Two

Given the scarcity of institutions and individuals dedicated to informing civil society about the CJR via social networks, USAID has a great opportunity to be a leader in the field via its Twitter Feed.

To address the CPC-PGR logistical challenge, in December, a strategic plan was drafted to ensure that all target state activities are monitored.

While challenging, the election presents an exciting opportunity for civil society to make the FCPC a campaign issue and encourage politicians to discuss the topic.

Task 3.2- Journalists’ knowledge and understanding of the CJR and their role within the justice system enhanced

Under Task 3.2, USAID made significant advances by developing and conducting its first training course for journalists in Monterrey, Nuevo Leon, which has resulted in high-quality publications showing understanding of and respect for the principles of the reform. It advanced on its work plan goals of training five journalists in each of the priority states on the NCJS and creating a “Bloggers for Justice” network.

Journalist Training

This quarter, USAID made significant progress on its strategy to increase journalists’ understanding of the CJR. It developed the methodology and curriculum for its journalist training program and then put it into practice in Monterrey, Nuevo Leon. This first workshop—held exclusively for those who work at the prominent *El Norte* newspaper in Monterrey—showed that the course materials, trainer and methodology used by USAID can yield benefits in all seven priority states. There, 43 journalists (12 women, 31 men) were trained on topics such as how to report on crime and violence with respect to due process, a culture of legality and the protection of HR. Daily monitoring of the newspaper shows that the reporters who took the course are producing news stories that comply with the principles of presumed innocence, respect for personal information while refraining from criminalizing the accused, the victims or their families, thus creating a new newsroom culture around the virtues of the reform and the HR values on which it is based. Thus, the USAID training course effectively increases journalists’ knowledge and understanding of the CJR, enhancing their role within the justice system. The media has an unmatched power to affect public opinion; journalists, thereby, fulfill a key function in informing citizens about the NCJS and will prove pivotal for successful reform implementation.



Article evaluation criteria

USAID developed a scorecard that establishes criteria to evaluate articles published on the NCJS, using a rating system that transforms qualitative data into a quantitative performance measure. It is specifically

utilized to assess news reports published by Program-trained journalists. These “article evaluation criteria” aim to ensure that journalists are respecting the principles of the new system, in particular the presumption of innocence, confidentiality, and impartiality. The scorecard also assesses proper use of legal terms and reference to judicial processes.

Bloggers for Justice

USAID identified 17 bloggers who have demonstrated interest and competence in writing on the Mexican criminal justice system and who could contribute to the “Bloggers for Justice” network. Their writings have been promoted through the Program's Twitter feed, in order to increase the number of readers and followers for these blogs. USAID aims to carry out a workshop for these bloggers on the NCJS in Q3. The training for bloggers will result in a greater audience—expanded from that of traditional print media—that will be provided with informed pieces about the new system.

Challenges and Opportunities

Challenges

Changing journalists’ approach to reporting on crimes poses a serious challenge given the history of sensationalism in the field, dependence on authorities as the sole source of stories on crime, and a tendency to criminalize not just the accused and but oftentimes the victims of crime.

Opportunities for Quarter Two

The success of USAID’s first journalism training course demonstrates a great opportunity to replicate this course in other states and effectively convert journalists to reform promoters, who inform the public on its advances and delays while respecting the HR principles celebrated by the new system.

Program Grantees

USAID continued to work with its grantees this quarter, officially closing 11 of the projects. Significant achievements by the CSO grantees are highlighted below, including a review of the closed projects. For success stories on grantees’ achievements, please refer to Annex 1.

Support for Program Grantees

- *Fundación Mexicana de Reintegración Social* (Reintegra): This grantee has completed its project in accordance with its agreement. Reintegra provided support to 84 juveniles and 100 families on probationary measures in order to encourage compliance and assist in the juveniles’ successful reintegration into society, directly benefiting approximately 484 citizens. The organization also conducted activities such as: providing legal defense for detained adolescents, conducting skills workshops for juveniles on probation, and drafting a proposal for a comprehensive Juvenile Justice Law for Mexico City. This proposal was delivered to two legislative committees on October 10, 2011: the Committee on Legislative Regulations and Parliamentary Studies and Practices and the Committee on the Administration and Procurement of Justice. In total, this project directly benefited an estimated 524 citizens.
- *Instituto Mexicano de Derechos Humanos y Democracia* (IMDHD): The project aimed to build the capacity of prosecutors to promote justice in Campeche in line with the NCJS. Its activities included three workshops to train 100 prosecutors from the State AG Office in subjects such as: the prevention of torture, use of force, victims’ support, rights of the accused, and alternative justice. Through its additional activities, such as a public forum on the NCJS, it directly benefited a total of 199 individuals. As the organization was found completely in compliance with its agreement, the project was officially closed.

- *Fundación Camino a Casa*: This project developed and implemented a model of assistance for children and adolescents that have been victims of sexual exploitation and human trafficking, and also trained CSOs on these topics. In its closing ceremony, about 15 adolescents who benefited from the project performed a dance they prepared to demonstrate their gratitude. Additionally, several attendees shared their own success stories resulting from assistance provided by the grantee. The project, which directly benefited 136 individuals, was closed in complete compliance with its agreement.
- *Centro de Estudios sobre la Enseñanza y el Aprendizaje del Derecho (CEEAD)*: This grantee promoted the adoption of a NCJS curriculum into law school programs and trained law professors on how to teach the accusatory model. CEEAD succeeded in training 329 law professors from 116 law schools in ten Mexican states. The majority of these trainings have been offered in conjunction with respective state judiciaries, which has provided an opportunity for judicial authorities to engage in the reform through law schools and has given state universities an augmented role in the implementation of the NCJS. The project, which directly benefited an estimated 339 people, was completed in accordance with its grant agreement in Q1.
- *Cáritas de Monterrey*: This CSO trained groups in human development, HR and community development. The training was focused on project organization, enabling them to better meet the needs of their communities in both urban and rural areas of Nuevo Leon. It directly trained 845 community leaders to work in 23 Nuevo Leon municipalities, indirectly benefiting approximately 4,232 citizens. This quarter marked the completion of the *Cáritas de Monterrey* project activities (with final payment made in January 2012).
- *Asociación Oaxaqueña de Estudios Interdisciplinarios sobre Género y Derechos Humanos*: This organization contributed to the prevention of Trafficking in Persons (TiP) in Oaxaca through a media campaign to raise awareness and a proposal to reform the local legal TiP framework. This draft law to prevent, punish and eradicate TiP will be distributed to the executive, legislative and judicial branches of the Oaxaca State Government and to the Oaxaca division of the Mexican Bar Association, and will also be available on the CSO's website. Through its guide to TiP and other activities, including a media campaign, it directly benefited 1,610 individuals. The grantee completed its project in Q1 in accordance with its agreement.
- *Fundación Murrieta*: This CSO aimed to improve the accuracy and transparency of the website of the State of Mexico Justice Administration Council (*Consejo Consejo Federal de la Judicatura*) and of the State Judiciary, as well as the access to information provided via the sites. In the case of the former, this was done by harmonizing it with the website of the Federal Council for Justice Administration (which meets international standards), and thereby making the State of Mexico site a model for other states. The grantee surpassed its internal goal of a 35-point rating for the State of Mexico website by achieving a rating of 36.49. The project directly benefits approximately 1,000 individuals (based on an estimate number of visits to the websites). The grantee finished the project in complete compliance with its agreement.
- *Defensoras Populares*: USAID conducted a final visit to *Defensoras Populares*, a grantee that has completed its project in accordance with its agreement. The organization, together with the CSO *Los Indeseables*, contributed to the prevention of TiP in Mexico City by raising awareness among young people, with a particular focus on adolescent girls. The project involved a “responsible use of social networks” campaign and a theater performance titled *Sabes de qué se trata*, which explained TiP and was presented in venues such as community centers, schools and public spaces. *Defensoras Populares* estimated that 3,700 people attended the 16 performances based on the number of surveys conducted before and after each showing. Additionally, the CSO developed a blog and informational materials, bringing the total of estimated direct beneficiaries to 9,969.
- *Centro Jurídico para la Promoción de la Justicia y los Derechos*: *Centro Jurídico* published a manual for instructors conducting courses on the “HR Aspects of the CJR,” which aims to increase citizens’ understanding of the new system and promote its implementation. In total, 500 hard copies of the manual have been printed for distribution nation-wide. It is also available on

the CSO's website www.reformapenalyderechoshumanos.org.mx. The manual will be distributed to CSOs that work in the promotion and defense of HR, with the intention of providing them with the tools to train citizens on this issue. The version on the website, meanwhile, provides an interactive medium to share public opinion and provides a space for CSOs to advocate on behalf of the CJR. Additionally, as part of its project, *Centro Jurídico* has trained 109 individuals (45 from Mexico City, 64 from Pachuca, Hidalgo) in the HR aspects of the 2008 constitutional reform. Forty-seven of those trained represented CSOs, while the others came from justice system institutions, public entities and other institutions, as well as several independent lawyers. The project, which directly benefited an estimated 655 people, was closed in compliance with its grant agreement.

- *Salud y Desarrollo Comunitario de Cd. Juárez (FEMAP)*: This organization provides support to first-time pregnant adolescent girls in marginalized neighborhoods. For more than 20 years, FEMAP has been delivering a microcredit program to facilitate women's economic empowerment. Through this project, it directly benefited 350 women by providing them with microcredit loans and training them on topics such as finances, health and empowerment. This grantee thus addresses some of the root causes of women becoming victims of domestic violence, and simultaneously supports a culture of peace and justice in a city suffering from high rates of crime and violence. The grant was closed in compliance with the agreement.
- *Instituto para la Seguridad y la Democracia (INSYDE)*: This organization worked to establish the technical and methodological bases for a model of coordination between investigative police and prosecutors within the State AG Offices of Morelos, Nuevo Leon and Oaxaca, directly benefiting 20 operators. The grantee—with USAID assistance—developed protocols and procedures to improve cooperation between these operators. It also proposed changes to the organizational, management and monitoring structures of these offices. The project was closed in compliance with its agreement.

ANNEX

Annex I. Success Stories

A Second Chance for Mexico's Youth: UMECA Stands by the Country's Teenagers

When police burst into a small gathering of friends in Morelos state, María Teresa⁷ knew she was in trouble. Her boyfriend was discovered with a military-grade weapon and, although she had never consumed drugs or alcohol, and had never been involved in criminal activity, she felt sure that she would be arrested as an accomplice.



In Mexico, that is a serious offense. During the last five years, the federal administration has placed combating crime, particularly drug trafficking, at the top of its list of priorities. And it has meted out sentences in strict accordance with the law. In María Teresa's case, that could have meant at least a year in pre-trial detention and a potentially long incarceration after that.

But thanks to the Pre-Trial Services Unit for Juveniles (UMECA), a USAID-supported program, the 17 year old was spared that fate. She didn't have to spend months in a dangerous and degrading government prison. She wasn't exposed to drugs in jail or subjected to humiliating abuse from fellow prisoners. Instead, she was able to spend the weeks and months that followed her arrest living at home, studying and working.

UMECA, which started operating in February 2011, has been a lifeline for more than 100 teenagers who have strayed on the wrong side of the law. The first of its kind in Latin America, the program gives youth the opportunity to avoid jail time as they wait trial for crimes and instead to receive psychological help and counseling from trained supervisors.

Through the program, teenagers are explained judges' decisions, provided with liaisons to public defenders, and, most importantly, given assistance that allows them to continue with activities that can lead to a promising future.

María Teresa's lucky break came as UMECA intervened on her behalf, advising the judge that she lived with her parents, was of good moral character and was a low-flight risk. In a revisionary hearing, that was more than enough to convince the judge that she deserved a second chance.

María Teresa made good on the trust placed in her. She spent a six-month probationary period studying hard at school. She worked during her vacation and attended her graduation ceremony.

To anyone, that would have been a priceless gift. But for María Teresa, who was the top student in her class of 2,000, it also meant the chance to receive all the honors of a valedictorian.

Since then, authorities have recognized her efforts. The presiding judge decided to forego a formal prison sentence. Instead, he allowed her to work in social service at a local community center for two years. He also removed the case from her record, giving her a chance to make the most of her intellectual gifts.

⁷ All names have been changed to protect the identity of the subjects.

Puebla's Historic Transition: How USAID is helping local officials adjust to a new legal system

Hugo and Félix⁸ had no idea what it was all about. The two investigative police officers from the state of Puebla had received training in Mexico's historic transition from its inquisitorial legal framework to one based on oral trials.



Hugo and Félix still could not see how the reform, which was passed in 2008, would work in practice. They had some theory but no practical knowledge, and they could not imagine how their current roles in the old system would be transformed in the new one.

That was when USAID offered to take them and 28 other justice sector operators to the northern city of Mexicali to show them firsthand what the new system looked like, and how it operated in practice. Officials in Mexicali were well placed to help: ever since June 2010, when the city of just 689,000 residents began to implement the reform, Mexicali has been in the vanguard of Mexico's transition to the new system.

For example, city officials have abandoned previous practices by which prosecutors played a dominating role in criminal procedures, passing written instructions to police investigators responsible for collecting evidence.

They have jettisoned old conventions under which there was little or no verbal interaction between the two groups and so little cooperation that police often ignored crucial evidence if it had not been specifically requested by the prosecutor.

The lack of dialogue, camaraderie and sense of common purpose among police, prosecutors and forensic experts also meant that cases easily went awry. Indeed, there were so many problems with the old system that critics claimed that it led to frequent miscarriages of justice.

Little wonder that only 37% of Mexicans said that they had confidence in the country's judicial system, according to a 2007 Gallup poll.



Under the new system, by contrast, there is a near-constant and open dialogue between prosecutors and police via telephone, email and face-to-face meetings. That enables them to forge more effective investigative strategies which, combined with greater oversight, makes a thorough and fair investigation more likely.

Hugo and Félix saw some of that dynamic during the USAID-sponsored study tour to Mexicali. They had worried that the new system would not work fluidly, and that it would lack the structure of the previous one. Instead, they were impressed by its ease, transparency and efficiency.

For example, while operators in Puebla tend to work autonomously, no police investigator in Mexicali begins case work without first meeting with the prosecutor and together drawing up a detailed plan of action.

They also were surprised by the professionalism in Mexicali. In particular, the two investigators

⁸ All names have been changed to protect the identity of the subjects.

saw how the hierarchies, prejudices and mutual suspicions that they had seen so often in Puebla fell by the wayside under the new system.

“There is mutual respect among the police, prosecutors and forensic experts,” said Hugo. “Together they make this kind of work very appealing.”

The team spirit even seemed to rub off on the Puebla group. At first, members of the different branches avoided each other, travelling in separate vehicles and exchanging few words. However, by the end of the trip, their initial wariness had dissipated, replaced by warmth, lively conversation and laughter.

Everyone had become an equal partner. “We all exchanged ideas and became a lot more integrated,” said Felix.

The justice sector operators from Puebla were now eager to embrace the reforms. The new system seemed to them like a welcome change, full of promise. “The new system dignifies the work of prosecutors, forensic experts and investigative police,” said one prosecutor. If correctly implemented, she added, “it could result in great benefits for those who work in the [criminal justice] system and for citizens generally.”

Making Numbers Count: USAID Turns to Statistics to Boost Policy-Making in Ciudad Juárez

Ever since anybody can remember, Latin America has suffered from a dearth of statistics on everything from crime to living standards. Mexico is no exception: with almost half the population living below the poverty line, cash-strapped governments – both local and federal – have struggled even to carry out their basic functions. Gathering data has always been a luxury.

Thanks to recent work carried out by the private-sector, local government and *Plan Estratégico de Juárez*, a local non-governmental organization supported by USAID, that may no longer be the case.

In July 2011, nine people took to the streets to canvas the opinion of 1,500 city residents across social and economic sectors on everything from school drop-out rates to illegal drug use and neighborhood crime.

The information, never before gathered, could prove critical to informing both local authorities and civic groups as to the most pressing needs of the population. In so doing, it promises to help improve the design and implementation of public policy, allowing government to spend resources more efficiently.

Few would argue that Juárez needs it: In recent years, the city that borders El Paso, Texas has been wracked by drug-related violence on an unprecedented scale. With daily battles between rival drug cartels, the murder rate has become one of the highest in the world – even greater than that of Baghdad.

Amid the bloodshed, residents complain that the local government has failed in its attempts to protect them. At the same time, they say that basic social infrastructure is woefully inadequate, and does not provide educational and employment opportunities that the population needs.

NGOs have tried to take up some of the slack. But the lack of security in many urban areas and the difficulty of coordinating the city’s diverse actors have made it difficult to collect the statistical data that could help improve the situation.

That is where the latest USAID-supported efforts come into play. For example, little was known about government spending on education. But the survey showed that increases in government spending were directly related to a fall in the drop-out rate among high-school students. That

underlined the importance of supporting education as an essential ingredient in reducing the strain on social services and keeping youth from joining criminal gangs.

Similarly, 92% of those surveyed said that their rights had been violated by a government authority, with 40% of those saying that the abuse had been perpetrated by the federal police. The statistics highlight the complexities and potential pitfalls of law enforcement as Mexico's federal government faces down organized crime.

Above all, the survey found that almost half the population had lost faith in politicians, believing that they played little or no role in solving their problems. That stark reality comes as a warning to elected officials that they must engage more actively with the citizenry to win back their confidence and forge a common front in making Ciudad Juárez a better place to live.

All of this information is being widely shared with local government and NGOs. There have even been efforts to place citizens' opinions at the center of potential reforms. Radio advertisements encourage listeners to enter the project website, including images, graphs and interactive tools with the latest data and providing forums for citizens to share their views and insights.

USAID has also promoted round tables with policy makers and private-sector actors to discuss the findings and their possible implications for creating better local programs.

The hope is that by bringing together common citizens and the city's leaders in a united push, Ciudad Juárez will finally make progress against problems once considered intractable. As Laura, the project coordinator put it, "if we don't work together, we will all fail".