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USAID/MEXICO JUSTICE AND SECURITY PROGRAM QUARTERLY REPORT – JANUARY-MARCH 2012

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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
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 second quarter (Q2) of fiscal year (FY) 2012 covers the period of January 1 to March 31, 2012. It presents the achievements of the Justice and Security Program 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) a Financial Overview; and 4) the Annexes, which include five success stories.

Legislative Achievements

The most fundamental change to effectuate robust criminal justice reform (CJR) is through legislation, as 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

USAID and the Oral Trials Network OTN presented the President of the Justice Committee of the Federal Congress with recommendations for adjustments to the Federal Criminal Procedure Code. These changes aim to bring the bill in line with constitutional and international standards, which is crucial for ensuring the passage of a Federal Code that establishes the necessary legal framework for proper functioning of the New Criminal Justice System (NCJS).

Secondary Legislation Drafting Assistance

Draft laws on alternative justice and victims’ assistance for Puebla have been completed with USAID technical assistance (TA), as well as reforms to the Criminal Procedure Code and the Attorney General’s Office, Public Defenders’ Office, and Supreme Court Acts (*leyes orgánicas*), which will be submitted as a package to the State Congress at the start of its next session in June 2012 to ensure that Puebla has a comprehensive legislative framework in place upon entry into force of the accusatory system in 2013.

In addition to drafting the Victims’ Assistance Law, USAID this quarter provided TA for the drafting of similar laws in Nuevo Leon and Oaxaca, using the legislation scorecard developed in Q1 to ensure their quality. A draft has been completed in Oaxaca, and work has begun in Nuevo Leon. Victims’ assistance is a key human rights (HR) aspect of the reform that USAID aims to ensure through the enactment of the necessary legislation. It is a priority under the new system, as under the old inquisitorial system, very few opportunities existed for victims of crime to be taken into account. Indeed, victims have taken a renewed interest in justice, attending 70% of trial hearings in reform states.

Ensuring Continued Adherence of Legislation to CJR Principles

With participation from Baja California legislators, the Program conducted an analysis of the constitutionality of amendment bills to the State Criminal Procedure Code currently being debated. USAID demonstrated issues that go against reform principles and international human rights standards to help ensure that the state continues advancing implementation of the NCJS, rather than impeding it through retrogressive legislation.

USAID also completed an analysis of the State of Mexico Criminal Procedure Code, and identified key

areas for improvement. Should the recommendations be taken up by the state authorities, they will contribute to bringing state legislation in line with the principles of the NCJS, which is needed for its proper functioning.

Legislative Compasses

USAID completed two legislative compasses and advanced on the drafting of another that will serve as pivotal resources for legislators and policy makers. The “How-To” guides for drafting victims’ assistance and alternative justice (AJ) laws were finalized, and began to be applied with USAID TA in Nuevo Leon, Oaxaca and Puebla for victims’ assistance and again in Oaxaca for AJ. They will steer the development of high-quality reform legislation and, as they will be distributed to civil society organizations’ (CSOs), they will enhance their ability to better advocate for AJ and victims’ assistance services.

Furthermore, an additional chapter of the “How To” guide to drafting criminal procedure codes—addressing investigations—was completed this quarter, bringing the total to seven (of ten). The other chapters completed are: Exclusionary Rules of Procedural Acts, Parties to the Proceedings, Evidence, Probable Cause Hearings, Precautionary Measures, and Arrest Regulations. This “How-To” guide will be completed in Q3.

Institutional Strengthening Achievements

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

Federal and State SETEC Capacity Built

USAID built the capacity of state SETECs in all seven priority states on project development and management and to ultimately obtain funding from the Federal SETEC for reform implementation projects. With USAID assistance, the SETECs joined efforts with justice sector institutions to develop in total 63 projects worth approximately US \$38 million, addressing areas such as institutional reorganization and information technology systems.

USAID also completed the General Report in Q2 on the field study conducted in FY 2011, to monitor reform implementation in the five states that have been implementing the new system for more than one year: Chihuahua, Morelos, Oaxaca, the State of Mexico and Zacatecas. The General Report contains an evaluation of the performance and impact of the new system, and some key findings show that the average case disposition is as low as 45 days in reform states that implement alternative justice, as compared to the average 170 days in non-reform states, and that there is 100% participation of judges, prosecutors and defenders in mandatory hearings, amongst many other insightful conclusions.

USAID made significant advances on the national citizen perception survey, which measures the understanding and perception of the NCJS among justice sector officials, users and the general public, and is being conducted in close coordination with the Federal SETEC. This quarter, USAID initiated and completed the fieldwork phase of data collection for the survey and later moved onto the following phase

of interviews with criminal justice officials and citizens. Survey data analysis will begin in April and the findings will be presented to the public after Mexico's presidential elections in July 2012.

Investigation Capacity Enhanced in Baja California, Puebla and Oaxaca

USAID completed a comprehensive plan for the implementation of its coordination protocols for investigative police and prosecutors, thus enhancing their ability to successfully operate under the NCJS. This plan complements the protocols, the coordination manual and general regulations for cooperation already designed by USAID. Together these resources enable prosecutors and investigative police to establish agile and permanent collaboration, thereby improving the efficiency and effectiveness of investigations. These tools are being applied by the Sexual Crimes Unit, and have begun to be implemented in the Property Crimes Unit in Baja California, as well as the AG Offices of Puebla and Oaxaca.

Presumption of Innocence to be Strengthened through PTS Units for Adults in Baja California and Morelos

USAID TA on PTS was focused in Baja California and Morelos, specifically to support the opening of Units for Adults scheduled for June 2012. In Baja California, USAID worked to ensure that the organizational and legal frameworks as well as evaluation tools are all finalized ahead of the Unit's launch. In Morelos, USAID provided key TA towards reforming the legal framework to accommodate the Unit and to ensuring a successful and transparent recruitment process for the new unit.

Access to Justice through Women's Justice Centers

The Executive Secretary of Public Safety in Oaxaca allocated funds this quarter for the creation of a Women's Justice Center (WJC), an essential foundation for ensuring the organizational and physical infrastructure required for women's access to justice and the provision of comprehensive services to female victims of crime. USAID has already built the capacity of many of the future staff of the center via trainings for the Oaxaca Special AG Office for Crimes against Women, in particular two study tours to Chihuahua and Nuevo Leon and training for 34 staff on the NCJS. In coordination with the Oaxaca AG, USAID began delivering TA to develop and apply a model of assistance for the WJC in line with the New Criminal Justice System.

A WJC was opened in March in Ciudad Juarez, Chihuahua, ahead of which USAID provided essential staff training.

Capacity Building for Justice Officials

In total, **958 justice sector officials** (477 women and 481 men) were trained in Q2. Those officials were judges, prosecutors, public defenders, investigative police, mediators, victims' assistance center staff, forensic experts and court administrators, who were trained in 1,564 lessons.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.

Ensuring the Impact and Effectiveness of USAID Trainings

USAID started an evaluation to measure the impact of its training courses, beginning with a pilot carried out in Baja California and Oaxaca. This included field validated questionnaires to justice sector officials

¹ As some individuals participated in more than one course, these numbers reflect "training lessons" rather than the absolute number of persons.

and will be followed in early Q3 by an electronic survey to over 150 randomly-selected USAID trainees, as well as to control groups. In addition, focus groups discussions will take place in the same states to obtain qualitative data. The results will demonstrate the effect of the trainings on justice officials' behavior and performance, and also serve to identify USAID best practices and areas of need in training programs.

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 public perception of the NCJS. Increasing citizens' understanding of the adversarial system builds their capacity to engage in and promote the reform. As public confidence in the new system is absolutely vital for its effective and lasting implementation, the Program supports civil society as part of its overall strategy of fostering comprehensive CJR implementation at the state and federal levels.

CSO Criminal Justice Reform Monitoring Group Sets Best Practice

This quarter marked the launch of monitoring activities for the Citizens' Justice Observatory (CJO), the watchdog group formed with USAID TA and composed of more than 20 CSOs in Nuevo Leon, representing significant involvement of civil society in the NCJS. It began its efforts hand-in-hand with the entry into effect of the accusatory system in the state in January 2012, releasing its first diagnostic of implementation in March. Using 22 indicators to collect data from state justice sector institutions and SIJUPE, coordinated by the latter, the CJO concluded that the state is at 60.2% of where it needs to be for successful reform implementation. With their various activities, the CJO is becoming a national model for the CSOs role in monitoring the NCJS.

Awareness Raising on the Criminal Justice Reform

USAID finalized the slogan and logo for its creative media campaign on the NCJS. It also completed the scripts for four YouTube videos that will be produced as part of the project, and developed the content of the brochure and website. Upon its launch in May 2012, the campaign, which will target civil society and the general public, will be a major tool for garnering citizens' understanding of and support for the NCJS, thus significantly contributing to the overall sustainability of the reform.

Community Network for Restorative Justice in Chihuahua

USAID has built the capacity of eight Chihuahua CSOs via a certificate course to establish a Community Network for Restorative Justice. Through this training, the participants have gained knowledge and skills in areas such as communication, managing emotions, mediation, and negotiating conflicts, which will enable them to conduct restorative justice processes in their communities, significantly helping to reconstruct the social fabric in Chihuahua, a state heavily affected by violence.

Citizen Participation Promoted

With USAID assistance, the CPC-PGR continued during Q2 with the implementation of four projects that promote citizen involvement in denouncing crime and corruption, and promoting the principles of the reform. These projects and their achievements this quarter include:

1. *Formando Líderes Ciudadanos: Strengthening Community Leaders*
 - A total of 2,152 journalists, CPC-PGR state committee members and National Federation of Parents' Association members, received training on the New Criminal Justice System (NCJS)

through workshops conducted in fifteen states.² The trainings will lead to the creation of a pool of activists and journalists that are knowledgeable about the NCJS and well-prepared to foster the reform.

2. *Transparencia Focalizada*: Increase Transparency
 - A hotline for citizen complaints was launched this quarter via public awareness events in nine branches of the Federal Attorney General's Office.
3. *Ciudad Posible Sí*: A culture of mediation and justice for public schools in Ciudad Juarez.
 - The capacity of 64 teachers was built through trainings aimed at promoting a culture of conflict resolution through mediation.
4. *Narrar para Convivir*: Telling Stories to Coexist
 - The capacity of 100 teachers in Oaxaca was built through trainings on creative and artistic ways to communicate the principles of the NCJS and in turn develop projects with their students through various art forms.

Grantee Projects Completed Deliverables

USAID verified compliance and received deliverables for eight grantee projects in Q2, which yielded significant results:

1) *Ririki Intervención Social* published a manual for public servants on assisting crime victims; 2) *Centro de Derechos Humanos Paso del Norte* provided therapy and conducted workshops for 320 victims of human rights violations; 3) *Instituto de Atención Especial a Niños* provided after-school programs for 75 children from low-income and high-risk neighborhoods; 4) *Fundación de Apoyo Infantil* raised awareness among youth about Trafficking in Persons (TiP) through workshops in elementary schools and the distribution of a kid-friendly manual; 5) *Casa de las Mercedes* provided assistance to 56 victims of TiP and trained 202 public officials on the topic; 6) *Liberaddictus* raised awareness among public officials about secondary victims of crime, distributing 1,000 copies of its book on the subject; 7) *Centro Familiar Proyecto de Vida* reached more than 3,000 individuals in Ciudad Juarez through its violence prevention program; 8) *Plan Estratégico de Juárez* collected data on 800 indicators related to quality of life in Ciudad Juarez.

Together, these organizations directly benefited **38,129** individuals and indirectly benefitted an estimated **93,786**.

Capacity Building for Civil Society Organizations

In Q2, USAID trained **487 representatives of civil society organizations (CSOs)** (319 women, 168 men), of which 484 were tested on knowledge gained through pre- and post-training exams. 91.1% of CSO representatives' scores increased on the post-test. Their average grades increased from 4.7 on the pre-test to 7.4 on the post-test (on a ten-point scale), an average increase of 58%.

Journalists' Knowledge of the CJR Enhanced

USAID built the capacity of 38 journalists in Q2: 20 reporters in Hidalgo and 18 in Chihuahua. Of those trainees, 17 have since written 37 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 a firm 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. Articles have been published in

² Aguascalientes, Baja California, Campeche, Chihuahua, Coahuila, Durango, Guerrero, Hidalgo, Mexico City, Morelos, Nuevo Leon, Puebla, State of Mexico, Veracruz and Zacatecas

the national *Reforma* newspaper, *El Heraldo* of Chihuahua, and *El Norte* of Nuevo Leon, amongst others.

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: completing an entire primary and secondary legislative packet for Puebla; drafting the Oaxaca Victims' Assistance Law, and beginning its development in Nuevo Leon; and producing an analysis of the State of Mexico Criminal Procedure Code. Under Task 1.2, USAID worked with civil society to promote the Federal Criminal Procedure Code and began developing a guide to the reform in Chihuahua.

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 and analysis of 13 laws: six in Puebla, four in Nuevo Leon, two in Oaxaca, and one in the State of Mexico. Several of these are expected to be submitted to state legislatures in Q3.

Legislative Framework for Puebla

USAID has delivered comprehensive TA to Puebla institutions towards ensuring all necessary legislation is in place upon entry into force of the new system in Puebla in 2013. USAID has now assisted in writing six legislative reforms for Puebla. This includes completed reforms to the Criminal Procedure Code, and the AG Office, Public Defenders' Office and Supreme Court Acts (*leyes orgánicas*), as well as the Alternative Justice and Victims' Assistance Laws. In April, the laws will be presented to the Executive Branch, Judiciary, SETEC and Legal Services Secretariat. The draft laws will then be submitted to Congress at the start of its next session in June 2012. A comprehensive legal framework that is in line with the 2008 reform and international human rights standards will ensure successful reform implementation.

Comprehensive Secondary Legislation in Nuevo Leon

The *Universidad Autónoma de Nuevo Leon* (UANL) delivered to SIJUPE the four laws it had been hired to draft with Federal SETEC funds, including for Alternative Justice (AJ), Victims' Assistance, the Public Defenders' Office Act (*ley orgánica*) and the Rulings Enforcement Law (*ley de ejecución de sanciones*). USAID made recommendations for adjustments to these bylaws, in particular on the AJ law regarding issues such as the proper definition of AJ terms and the organizational structure of the AJ Center. Based on the suggestions made, SIJUPE will adjust the draft prior to its submission to Congress. It was agreed that USAID will provide written proposals for modifications to the four laws in early Q3, and then participate in two inter-institutional roundtables to discuss the legislation shortly after. USAID TA for these key pieces of reform legislation will ensure that they comply with the constitution and international standards for proper functioning of the accusatory system in Nuevo Leon.

In addition, USAID provided legislative TA to the Nuevo Leon Family Justice Center and to SIJUPE on the drafting of a State Victims' Assistance Law. USAID delivered a proposal with the principles that should be incorporated into the law, including issues such as victims' rights to restitution and to receive free assistance from the state. In Q3, USAID will begin working with SIJUPE to draft the law, using the Program's "How-To" Guide for drafting victims' assistance legislation as a primary reference.

Victim's Assistance Legislation in Oaxaca

In Oaxaca, USAID provided TA to complete the first draft of a state victims' assistance law. It addresses issues such as specific rights of the victim within the judicial process and ensuring adequate reparations. The final review and edits, as well as the drafting of the introductory explanation of the motivation for the legislation, will first be sent to AG in Q3 and later submitted to Congress. Victims' assistance is a key human rights aspect of the reform that USAID aims to ensure through the enactment of the necessary legislation. It is a priority under the new system, as under the old inquisitorial system, very few opportunities existed for victims of crime to be taken into account. Indeed, victims have taken a renewed interest in justice, attending 70% of trial hearings in reform states.

State of Mexico Criminal Procedure Code

USAID completed an analysis of the State of Mexico Criminal Procedure Code, which identified key areas for improvement such as addressing excessive formalities required for investigations and hearings, deficiencies in applying alternative justice mechanisms and an inadequate appeals process. Should the recommendations be taken up by the state authorities, they will contribute to bringing state legislation in line with the principles of the NCJS, which is critical for its proper functioning.

Legislative How-to Guides

In Q2, USAID completed the development of two legislative compasses and advanced on the drafting of one that will serve as critical resources for legislators and policy makers, providing them with the tools to enact and pass legislation in line with the NCJS and international HR standards:

- *Completion of "How-to" Guide for drafting legislation for the protection of victims' rights*
USAID developed chapters 11-17 in Q2, thus completing the how-to guide for drafting victims' assistance legislation. These chapters address topics such as compensation measures, sanctions for non-compliance in assistance by public officials and funding for assistance and protection. This legislative compass will provide justice institutions and legislatures with the tools to draft laws in accordance with the NCJS. Indeed, it has already been applied in conjunction with USAID TA for drafting this key legislation in Nuevo Leon, Oaxaca and Puebla. In addition to its dissemination to key government actors, the guide will also be distributed to CSOs, thus enhancing their capacity to advocate for and defend victims' rights.
- *Completion of "How-to" Guide for drafting alternative justice legislation*
USAID also completed the guide for drafting alternative justice legislation. It addresses all the key elements AJ laws should contain, including a glossary of terms, the principles of alternative methods of conflict resolution, and the requirements a case must meet in order to be solved via AJ. It is already being applied in Oaxaca and Puebla with USAID assistance. As part of the reform, legislative changes are necessary in multiple areas to create a comprehensive system, and USAID guides are a key resource in this process.
- *Additional Chapter for "How-to" Guide for drafting criminal procedure codes*
USAID completed chapter seven of its how-to guide for drafting criminal procedure codes. This chapter, on investigations, addresses elements such as guidelines for prosecutorial discretion, chain of custody, and the powers of the authorities. The guide, which will be completed in Q3, will serve as a pivotal resource for legislators and policy makers in establishing the legal frameworks necessary for proper reform implementation in line with the constitutional amendments and international standards.

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, USAID came together with civil society to work with the Federal Congress on the improvement and eventual passage of the Federal Criminal Procedure Code. Additionally, it worked with Baja California representatives to ensure reform principles continue to be upheld in state legislation.

USAID Works with Legislators to Ensure Human Rights Protection in Federal Criminal Procedure Code.

With the participation of the prominent Oral Trials Network, USAID provided TA to the President of the Justice Committee of the Federal Congress on the Federal Criminal Procedure Code. USAID presented recommendations for adjustments to be made to the bill to bring it in line with the constitution and international standards, regarding articles that should be included in enabling legislation (as in the *leyes orgánicas*), and absolute protection of fundamental human rights, among others. This TA is crucial for ensuring the passage of a Federal Code that establishes a good quality legal framework necessary for proper functioning of the NCJS.

Reform Principles Asserted in Baja California

USAID provided TA to Baja California state legislators, discussing a bill to amend the State Criminal Procedure Code. Participants discussed proposals to restrict plea bargaining and redefine terms for arrests made *in flagrante*, with USAID emphasizing the importance of upholding constitutional principles and the standards of the Inter-American Convention on Human Rights, as well as the possible consequences of the amendments. For instance, the amendment would widen the definition of *in flagrante*, violating the rights of the accused by allowing him/her to be arrested as if caught “in the act,” well past the moment the crime was committed. This assistance is vital for ensuring that the BC legislation remains in line with the 2008 reform and values of the new system, and for preventing backpedaling on the exemplary progress the state has made in reform implementation.

Chihuahua Reforms Evaluated

USAID completed four chapters of a publication on the status of the reform in Chihuahua with the purpose of analyzing and raising awareness about the state legislative amendments that contradict the 2008 constitutional reform. These chapters focused on i) human rights, ii) reading into evidence in oral trials and the right to rebut evidence, iii) *in flagrante* arrests, and iv) oral trials regulations. Upon completion in Q3 of the fifth and final chapter, on preventive prison and other precautionary measures, the publication will be presented and distributed in public events in Chihuahua and Mexico City.

Challenges and Opportunities

I.1

There is the risk that the Puebla State Congress may be resistant or sensitive to the USAID-supported packet of draft laws submitted as formal bills by the Executive branch and thus might modify it. Fortunately, the package of bills has been accepted by the Puebla Executive, and accordingly working sessions with the State Judiciary, AG Office and Counsel for Legal Affairs will be lined up, thus providing key opportunities for fine-tuning the drafts and addressing any possible issues that may arise. The CEAMPJ has been pro-active in coordinating and conducting working sessions with the various justice institutions to ensure comprehensive, high-quality draft laws to ultimately be submitted to Congress for approval, and USAID has been heavily engaged during the process.

1.2

Given the amendment bills to the State Criminal Procedure Code submitted in Baja California, there is a clear risk of backpedaling in reform progress in the state. To address this, several discussions and consultations have taken place with relevant congressional actors, and more will be carried out in Q3.

Objective 2: Results Achieved

In Q2 of FY2012, the Program had a number of significant achievements in meeting the goals established in the work plan. These included achievements in the seven target states related to: building the capacity of state SETECs in project development and management and the establishment of a community of practice in judicial education for heads of training institutions; developing and implementing institutional strengthening plans for the AJCs in Chihuahua and Hidalgo and the Family Justice Center in Nuevo Leon; and ensuring the effectiveness of USAID trainings through pre- and post-training tests and undertaking a pilot for comprehensive impact assessment in Baja California and Oaxaca. Details on these and other achievements are included below.

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

In line with the results set out by the work plan, USAID completed a series of trainings in all target states in Q2, building the capacity of state SETECs in project development and management, and conducted various follow up TA sessions to ensure successful proposal development. USAID completed a study that monitored reform implementation in Chihuahua, Morelos, Oaxaca, the State of Mexico and Zacatecas. USAID also completed the fieldwork phase of data collection for the citizen perception survey on the NCJS.

TA for State SETECs Regarding Project Planning and Administration

Project Development and Management Training and Institutional Strengthening for State SETECs

USAID built the capacity of state SETECs in project development and management and to ultimately obtain funding from the Federal SETEC for reform implementation projects through a series of trainings and TA sessions. With USAID assistance, between the last week of January and the close of February, the state SETECs in all seven tier-one states joined efforts with justice sector institutions to develop in total 63 projects worth approximately US \$38 million. In follow-up to these trainings and TA sessions, USAID later provided feedback on 33 reform projects in three states (Baja California, Oaxaca, Puebla) via one-on-one work with the officials responsible for each proposal. The below table provides a summary of the number of proposals prepared by each state, their approximate total value, and the proposed project type.

State	Number of Projects Developed with USAID Assistance	Approximate Value of Proposed Projects (USD)	Proposed Project Areas
Baja California	16	\$6.5 million	Training of officials in the state; acquisition of technological equipment; development and diffusion material on the NCJS
Chihuahua	10	\$6.5 million	Forensic equipment, court management, monitoring and evaluation tools and training for justice sector officials
Hidalgo	2	\$48,960	Reorganization and management tools; remodeling of judicial buildings; acquisition of technological equipment
Morelos	2	\$7 million	Training of state justice officials; acquisition of technological equipment
Nuevo Leon	9	\$3.5 million	Training of officials, remodeling of judicial buildings, diagnostic studies for the personnel
Oaxaca	12	\$8.7 million	Training of state justice officials
Puebla	12	\$6.3 million	Training of officials in the North-East region of the state

State SETECs in Oaxaca and Puebla Reach Key Milestones

The Oaxaca state SETEC was established and a director was appointed this quarter thanks to continuous



USAID TA. On March 6, 2012, USAID, the State Governor, Head of the Supreme Court, Secretary of Public Safety and representatives of the State Congress participated in the first session of the State SETEC. Each institution stated its commitment to comprehensive reform implementation prior to 2016. As part of its TA to the AG Office towards the establishment of the SETEC, USAID made recommendations

on the structure, organization and functions of the body, providing for a high level of autonomy in terms of its functions, budget and work plan definition, and also incorporating specialized internal departments, all of which would have a positive effect on its capacity to coordinate reform implementation.

Puebla

Due to the advances the state SETEC has made with USAID support in preparing for the entry into force of the reform, the Federal SETEC has elevated Puebla from an initial to an intermediate-level state on its reform implementation classification chart. USAID assistance this quarter included the presentation of its Comprehensive Support Plan for the CEAMPAJ, which details the Program's work goals for March to December 2012 under each of the tasks and objectives of its results framework, including relative to legislative reforms, institution building, and engagement of civil society in Puebla. TA will be delivered for efforts such as the establishment of an alternative justice center, CJR monitoring, and inter-institutional coordination.

USAID also began in Q2 to provide brief monthly reports to the Federal SETEC on its SETEC-related activities at the national and state level, thus facilitating greater communication and coordination.

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

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

Five state reports, a general report and executive summary were completed by USAID in Q2, based on the field study conducted in FY 2011, to monitor reform implementation in the states that had been implementing the new system for more than one year: Chihuahua, Morelos, Oaxaca, the State of Mexico and Zacatecas. The Report found that there were clear advances in the five states studied, consistent with the principles of the NCJS established by the constitutional reform in 2008, such as respecting and applying: procedural fairness, mandatory presence of judges, prosecutors and defenders in hearings, publicity, presumption of innocence, and *Audi alteram partem*.³ The study also indicated a significant improvement in the performance of the five states, as well as increased respect for the fundamental rights of the accused and the crime victims.

Findings showed that: the resolution rate of investigations in reform states doubles or even triples that of non-reform states; public defense has improved significantly in reform states, with the majority of defendants opting for public defenders; and that the presence of judges in oral hearings is 100% in reform states, among many other conclusions. The Report illustrated how Mexico's transition to an adversarial system lifted the veil that had hung over trial proceedings until now. As part of the reform, cases that go to trial take place in open court rooms. According to the study, 98% of trials observed in the five reform states were open to the public. That access creates greater transparency in hearings as victim, prosecutor, defendant and defense attorneys are present during the proceedings. The report also found that, with respect to alternative justice mechanisms, such cases represent 17-20% of those that enter into the system in the five states. They represent a significant relief for an otherwise overburdened system with a lot of backlog and allow the courts to concentrate on more serious crimes, like homicide and kidnapping.

Areas for opportunity identified included the need to: continue providing comprehensive training, to standardize reporting categories for reported cases; and to establish clear strategies to end practices that undermine the NCJS, among others.

The report will be published and presented to stakeholders at a USAID-hosted forum in May, among other events and will serve as a key tool to assist the Federal, state SETECs and justice sector institutions to improve implementation by taking actions based on the recommendations made. Indeed, judicial actors from the Mexican Bar Association and Federal Courts have already gained a greater understanding of the CJR through two USAID events presenting the findings of this academic study. USAID also completed a Brief on the CJR, which will be a major tool for communicating the reform to a wide English-speaking audience in an accessible and concise manner.

Citizen Perception Survey Piloted

USAID made significant advances on the national citizen perception survey, which measures the understanding and perception of the NCJS among justice officials, users and the general public, and is being conducted in close coordination with the Federal SETEC. This quarter, USAID initiated and

³ The right to a fair trial in which each party is given the opportunity to respond to the evidence and charges offered against him/her

completed the fieldwork phase of data collection for the survey, both nationally and at the state level, and later moved onto the following phase of the project. This second phase will involve intensive, structured interviews with criminal justice officials and focus groups with targeted groups of citizens, such as victims and women. USAID and the Federal SETEC developed the terms of reference for this phase and a request for proposals to conduct this second phase will be issued in Q3. Survey data analysis will begin in April and the findings will be presented to the public after Mexico's presidential elections in July 2012. 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.

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

In line with the results set out by the work plan, USAID advanced on the strengthening of justice institutions, including: the AG Office in Baja California for the implementation of coordination protocols for investigative police and prosecutors; the establishment of a PTS unit for adults in Baja California; the AG Office in Puebla for the implementation of coordination protocols for investigative police and prosecutors; the AG Office in Morelos for the establishment of a PTS unit for adults; institutional strengthening for PTS for juveniles in Morelos; the creation of a community of practice in judicial education composed of the heads of training institutes from all seven target states; institutional strengthening for AJCs in Baja California, Chihuahua, Hidalgo and Oaxaca; and support for Victims' Assistance. See below for more details on these and other achievements per state.

All target states

Comprehensive Analysis on Roles of Justice Officials under NCJS Completed

As a result of a five-month study process USAID has produced a critical tool for state and federal AG Offices, Public Defenders' Offices, and Judiciaries for the training of their staff and adjustment of their organizational and management structures for optimal functioning of the NCJS. This is a comprehensive comparative analysis of the most important changes in the roles and functions of prosecutors, public defenders and judges under the reformed, accusatory system as contrasted to the traditional, inquisitorial system.

Community of Practice in Judicial Education Established

USAID achieved the establishment of an inter-state working group on judicial education, during the first of a three-part series of collaborative TA activities as part of its "Art and Science of Judicial Education" initiative. This initiative unites heads of training institutes from all seven states, as well as technical secretaries, appeals court and initial hearing judges and prominent faculty members, with the objective of jointly determining plans to strengthen the judicial schools and training institutes. Teams from all seven tier one state courts worked with USAID experts on the basic functionalities of judicial branch education units, developing instruments to determine training needs and drafting mission statements for their individual institutions. The project involves carrying out a needs assessment and action-planning process that will: 1) increase the courts' capacity to effectively educate judges to operate in the new system, and 2) create a community of practice in judicial education that will meet the needs of Mexican state courts. Sessions two and three will be carried out in April and May 2012. This series of TA will be critical for ensuring the capability of courts to independently operate and provide training.

Institutional Strengthening for Women's Justice Centers

USAID fostered access to justice for women in March by advancing joint efforts with the Secretariat of Governance (SEGOB, acronym in Spanish) with the specific aim of establishing and strengthening WJCs

across the country. Accordingly, USAID introduced eight staff of the National Center for the Prevention of Crime and Citizen Participation (within SEGOB) to the best practices of the San Diego Family Justice Center (SDFJC), via a study tour conducted this quarter. Participants gained great insight into the Center's operating and management model, with its best practices and lessons learned to ultimately be applied in WJCs throughout Mexico. In addition to learning about the structure and services provided by the Center and participating in discussions there, participants also visited a Family Court, Criminal Court and a local YWCA to learn about their role in women's assistance. This firsthand experience serves an invaluable reference for designing and strengthening WJCs.

Furthermore, USAID began the planning of a national seminar on WJCs with SEGOB and the National Commission for the Prevention and Eradication of Violence against Women (CONAVIM, acronym in Spanish), among other governmental and international organizations.

Manual on "How to Create a Family Justice Center" Translated and Adapted

USAID also collaborated with the SDFJC to translate their "How to Create a Family Justice Center" manual and draft an annex that adapts it to the Mexican context. Following its translation and adaptation, the guide will now be sent to the Executive Secretariat of the National System of Public Safety for their comments, ahead of publication. The guide 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 human rights standards.

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

USAID began implementing a work plan for collaborative activities with PROVICTIMA this quarter. The plan contains initiatives such as a victims' assistance certificate course, specialized trainings targeting the Office's needs, a proposal to strengthen PROVICTIMA's model of assistance, and a workshop with the directors of the state-level victims' assistance offices. Assistance will be delivered comprehensively to improve legal frameworks, institutional frameworks and PROVICTIMA staff training.

Baja California

Improved Investigations through USAID Protocols for Prosecutor and Police Coordination

USAID completed a comprehensive plan for the implementation of its coordination protocols for investigative police and prosecutors, thus enhancing their ability to successfully operate under the NCJS. This plan complements the protocols, the coordination manual, and general regulations for cooperation already designed by USAID. Together these resources enable prosecutors and investigative police to establish agile and permanent collaboration, thereby improving the efficiency and effectiveness of investigations. These policies are being applied by the Sexual Crimes Unit, where the protocols are already being implemented, followed by the Property Crimes Unit (PCU). In the three months following the implementation of the protocols by the Sexual Crimes Unit in September 2011, its six officers completed 200 investigations, up from 81 investigations completed in the three months prior to implementation (an increase of 147%).

USAID presented the implementation manual for the coordination protocols to the Deputy AG, as well as approximately 70 representatives of the AG Office and the media. The manual includes over 170 operating guidelines and policies derived from the original protocols, for regulating conduct such as making arrests, transporting criminals and respecting chain of custody for evidence collected.

USAID also conducted this quarter an assessment of the PCU as part of the implementation process for the coordination protocols. The data-gathering included conducting interviews with the unit members to obtain information about its structure, management, and functioning. This process revealed an urgent need to establish standard operating procedures in the unit and strengthen direct communication between the police and the prosecution. Based on the findings, USAID will identify the 20 primary procedures that the unit should modify to bring them in line with the coordination protocols.

Presumption of Innocence and Rights of the Accused to be Ensured through Upcoming Establishment of PTS Unit for Adults

USAID also continued building the capacity of Baja California institutions to implement PTS for adults. It worked to establish tighter coordination between the SSP and AG Office to ensure compliance with the operating procedures for flight risk evaluations. The corresponding operating manual was drafted by the PTS Sub-Committee with USAID TA. This manual will be invaluable for ensuring adequate implementation of PTS, a pivotal aspect of the reform that embodies the presumption of innocence. USAID and the SSP also agreed on a framework and proposals for internal regulations reforms as well as the personnel structure for the upcoming PTS unit.

Further TA towards implementing PTS for adults in BC was provide to the Sub-Committee for PTS, including for the drafting of an operating manual and standard operating procedures for the upcoming unit. USAID also built the capacity of the Sub-Committee and State SSP to implement such services, via drafting an amendment to the enforcement of rulings and judiciary measures law (*Ley de ejecución de penas y medidas judiciales*) to accommodate the new PTS system.

Institutional Strengthening for Alternative Justice Centers

In Baja California, 13 local offices of the State System for Alternative Justice (SEJAP, acronym in Spanish) were strengthened this quarter, via two train-the-trainer courses for prosecutors and one for mediators, as well as trainings on the criminal justice reform, transformation of conflicts, alternative methods for conflict resolution, mediation tools and processes. A new SEJAP regional office in Mexicali was also created this quarter..

Data obtained from the SEJAP reflect that in BC the number of cases resolved through AJMs has had an increase of 24.8% (most recent data available) from 769 cases in January 2011 to 960 in November 2011, during which USAID provided continuous TA and training to the SEJAP staff.

Chihuahua

Institutional Strengthening for Alternative Justice Centers

USAID carried out an evaluation of the Chihuahua AJC during the quarter, as well as the mediators operating in the center. The information collected throughout the evaluation, via observations and surveys on the work environment and assistance quality, served as the basis of a diagnostic and a subsequent strengthening plan for the Center, to be finalized in April 2012. The baseline value of the average number of cases resolved through AJMs on a monthly basis was set in October 2011 at 191.

Institutional Strengthening for Women's Justice Centers

March marked the opening of a new Women's Justice Center (WJC) in Ciudad Juarez, Chihuahua, ahead

of which USAID provided essential staff training.

Hidalgo

Institutional Strengthening for Alternative Justice Centers

A USAID assessment of the Hidalgo AJC conducted during the quarter, involving all three of its sites, showed that 83% of Center users were satisfied, and that over 80% of other government units had a positive perception of the Center's performance. The study also identified areas for improvement, including: the Center structure; follow-up trainings; and regular supervision of mediation processes. This analysis will allow the Center to properly carry out its functions under the new system and adequately serve those who need its services. Furthermore, it will support efficiency in the justice system: in part due to application of these services, AG Offices have proven to be twice as effective in resolving cases in reform states as compared to states still operating under the inquisitorial system. The baseline value of the average number of cases resolved through AJMs on a monthly basis was set in October 2011 at 484.

Morelos

Presumption of Innocence and Rights of the Accused Ensured through Pre-Trial Services for Juveniles

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 support it 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.

Between February 2011 and March 2012, UMECA reported a compliance rate of 91.5% among its 118 juveniles supervised. USAID is undergoing an intensive institutional strengthening program to maintain the baseline compliance rate throughout the coming quarters.

USAID also completed a draft operational manual and suggested strategies for addressing the obstacles identified through the evaluation of the unit. The UMECA has seen great success, with 90.8% compliance since its opening, and by providing clear institutional procedures and regulations, the manual will ensure the unit's continued improvement. The enforcement of this manual will likewise assist in addressing the areas of need USAID identified in the unit. USAID also this quarter provided TA to the State SSP to design a proposal to obtain funds from the State SETEC for establishing the necessary infrastructure and equipment for the proper functioning of PTS for adults and juveniles.

Presumption of Innocence and Rights of the Accused to be Ensured through Upcoming Establishment of PTS Unit for Adults

An amendment developed with USAID assistance to the internal regulations of the Morelos SSP to establish the PTS Unit for adults was approved by the State Government. The new unit will start functioning in June 2012. The SSP has undertaken a transparent recruitment process via Facebook posts, the State Government jobs website and advertisements to local universities. The SSP received over 100 applications that meet the criteria for these posts, which were authorized thanks to USAID assistance in developing a proposal for their funding. This PTS for adults unit will expand a critical human rights aspect of the reform that embodies the principle of presumption of innocence and make Morelos once again a model for the rest of the country in the provision of these services.

Nuevo Leon

Institutional Strengthening for the Nuevo Leon Family Justice Center

During the quarter, USAID strengthened the capacity of the State Family Justice Center (FJC) through the updating of its operations manual. USAID provided suggested revisions to the structure, index and flowcharts of the manual, making it more applicable to the FJC's activities as well as consistent with the terminology of the NCJS. USAID completed the first of the manual's two sections, related to protocols for assistance services, with the Director of the Center, and the coordinators of the operative, psychological and social work units. The mission, vision and objective of the Center featured in the manual were also reviewed. These efforts aim to ensure the provision of quality victims' assistance services in order to protect a key human rights aspect of the NCJS.

Oaxaca

Institutional Strengthening for Women's Justice Centers

This quarter, in Oaxaca, Oaxaca, the Executive Secretary of Public Safety allocated funds for the creation of a WJC in Oaxaca, an essential foundation for ensuring the organizational and physical infrastructure required for women's access to justice and the provision of comprehensive services to female victims of crime. In coordination with the Oaxaca AG, USAID began delivering TA to develop and apply a model of assistance for the WJC in line with the New Criminal Justice System. During these initial phases, USAID advised on the physical infrastructure needed and the services to be provided, to be reflected in the architectural blueprints for the new WJC. This Center will ensure access to justice for women, a key human rights aspect of the reform. For a full success story on the upcoming center, please refer to Annex I.

As part of its institutional strengthening plan for PROVICTIMA, USAID facilitated a working session with the Deputy AG for Victims' Assistance for the State of Oaxaca, to introduce the Oaxaca official to the PROVICTIMA model and infrastructure and discuss joint activities and an official collaboration agreement was drafted for comprehensive cooperation and support between the two institutions.

Institutional Strengthening for Alternative Justice Centers

In Oaxaca, nine local offices of the Oaxaca Center for Restorative Justice were strengthened this quarter, via an analysis of the cases handled by the center, and trainings on mediation, the management of emotions, gender violence, and alternative methods for conflict resolution.

Data obtained from the Oaxaca Restorative Justice Center reflect that in the state the number of cases resolved through AJMs has had an increase of 15% (most recent data available) from 93 cases in January 2011 to 107 cases in November 2011, during which USAID provided continuous TA and training to the Center's staff.

Improved Investigations in Juchitán

USAID agreed with the Oaxaca State AG Office in March to begin implementing the protocols for prosecutor and police coordination in the municipal Juchitán AG Office (serving approximately 93,000 inhabitants) in the Istmo region, a process which began in April 2012.

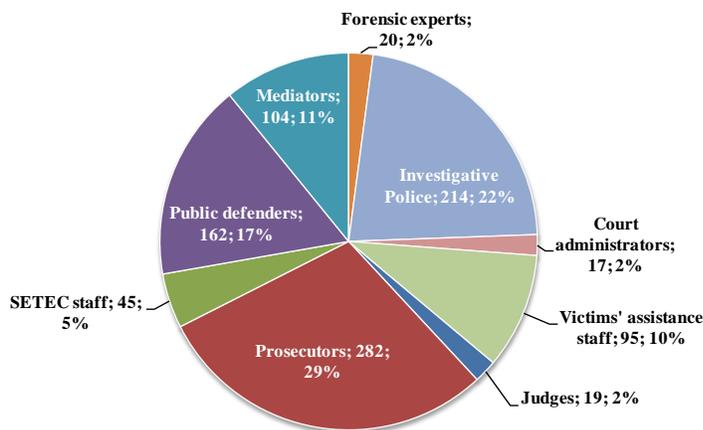
Puebla

A selection process began this quarter in the Puebla AG Office, with USAID support, to identify qualified individuals to serve in a special unit, which will operate using the USAID-developed coordination protocols for police and prosecutors, in order to establish agile and permanent collaboration between

them. The objective of this unit is to have police and prosecutors familiar with the protocols, ahead of the entry into force of the new system in Puebla in 2013.

Task 2.3 – Capacity of Justice System Operators to Implement CJR Strengthened Capacity Building for Justice Sector Officials

In line with the results set out by the work plan, USAID trained a total of, **958 justice sector officials** (477



women and 481 men) this quarter, including judges, prosecutors, public defenders, investigative police, mediators, SETEC officials, victims' assistance center staff, forensic experts and court administrators were trained in 1,564 lessons.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 justice sector officials trained can be disaggregated as follows: 31% were prosecutors; 22% investigative police; 17%

public defenders; and 11% mediators. Ten percent of trainees were victims' assistance center staff, 5% SETEC staff, 2% forensic experts, 2% judges, and 2% and court administrators.

Of the 958 justice sector officials trained, 30.4% were from Baja California, 22.8% from Puebla, 15% from Nuevo Leon, 14.4% from Oaxaca, 13.3% from Hidalgo, and 3.3% were from Morelos.

Since April 2011, the average number of hours of training per operator has increased significantly, when the average was less than 35 hours. During this quarter the average was 89.7 hours, up even from last quarter's average of 67.4. 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.

Participants Demonstrate Clear Increase in Knowledge Following USAID Trainings

To measure knowledge acquired in training courses, Program instructors apply two tests: one prior to the start of the course and another upon its conclusion. As such, from January to March 2012 1,236 tests were administered⁵ to justice sector officials, graded on a scale from 0 to 10, with ten as the best possible grade.

Whether by position, gender or state, there is a clear and consistent increase across the board between average pre- and post-training evaluation scores. The most notable increase observed was in the scores of victims' assistance center staff, which increased by 5.0 points on average. Large increases in averages

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.

⁵ A number of individuals took part in multiple trainings, and thus completed multiple course evaluations.

scores were also noted among SETEC staff and court administrators (3.4 and 3.5 points, respectively). Oaxaca was the state with the largest average increase seen in the post-training tests with 4.2 points, followed by Nuevo Leon with 2.6 and Puebla with 2.5.

Ensuring the Impact of USAID trainings

USAID is ensuring the effectiveness of its trainings by conducting an evaluation to measure their impact, beginning in particular with a pilot evaluation carried out in Baja California and Oaxaca. Five questions per operator (judges, public defenders, prosecutors, investigative police and mediators) were field validated, and an electronic survey will be administered in early Q3 to over 150 randomly-selected USAID trainees, as well as to control groups. USAID will then implement a second round of surveys to cross-reference the self-reported survey results of the operator groups. The results will demonstrate the effect of the trainings on the behavior and performance of justice officials, and will also serve to identify USAID best practices and areas of need in training programs.

USAID will also begin enhancing the capacity of magistrate judges, through seven newly-designed training courses. The courses will be finalized in April 2012, with implementation then starting in subsequent months.

Two Certificate Courses on Victims' Assistance Completed and Another Initiated

USAID completed two certificate courses on victims' rights and assistance under the NCJS during the quarter, in particular one for staff of the BC State AG Office and another for staff of the Victims' Assistance Center in Monterrey, Nuevo Leon. Together, these courses will build the capacity of 103 operators to carry out their roles under and promote the new system. USAID carried out a graduation ceremony for the BC course, which included the participation of the AG and the Director of the *Universidad Autónoma de Baja California* Law School. The trainees presented a video at the ceremony explaining how they are applying the subjects learned in practice. The AG Office highlighted the event in a press release, quoting the Deputy AG for Mexicali: "In the accusatory system, crime victims are given priority; for this reason, it is necessary that the AG Office have staff that is highly trained and professionally ready to provide warm and quality assistance both legally and psychologically to those persons who have unfortunately been victim of a criminal act."

USAID initiated the eleven-module course in Oaxaca, Oaxaca, which will build the capacity of the 50 participants to guarantee victims' rights as outlined by the CJR and provide quality Victims' Assistance services. Participants include staff from the State AG Office, and the Special AG Office for Victims' Assistance, Restorative Justice and Community Services, as well as professors from the Law and Social Sciences Department of the *Universidad Autónoma Benito Juárez de Oaxaca* (UABJ), which is co-sponsoring the course. An opening ceremony was conducted for the course, featuring the participation of the State AG, the director of the State SETEC, and the director of the Law and Social Sciences Department of the UABJ, recognizing the significance of the training. Likewise, the event was highlighted by several local media outlets, calling the training a "vital step for the state."

Facilitating Invaluable Exchanges for Best Practices from Counterparts in Mexico and Abroad

Via a study tour conducted this quarter, USAID introduced eight staff of the National Center for the Prevention of Crime and Citizen Participation (within SEGOB), to the best practices of the San Diego Family Justice Center. Participants gained great insight into the Center's operating and management model, with its best practices and lessons learned to ultimately be applied in WJCs throughout Mexico. In addition to learning about the structure and services provided by the Center and participating in discussions there, participants also visited a Family Court, Criminal Court and a local YWCA to learn

about their role in women's assistance.

Eight additional study tours will be carried out during Q3 for prosecutors, public defenders, justices, court administrators, victims' assistance center staff, and directors of family justice centers. The participants will learn from their counterparts who already operate under accusatory criminal justice systems in Los Angeles, Minnesota and San Diego, United States; Santiago, Chile; and Medellin, Colombia.

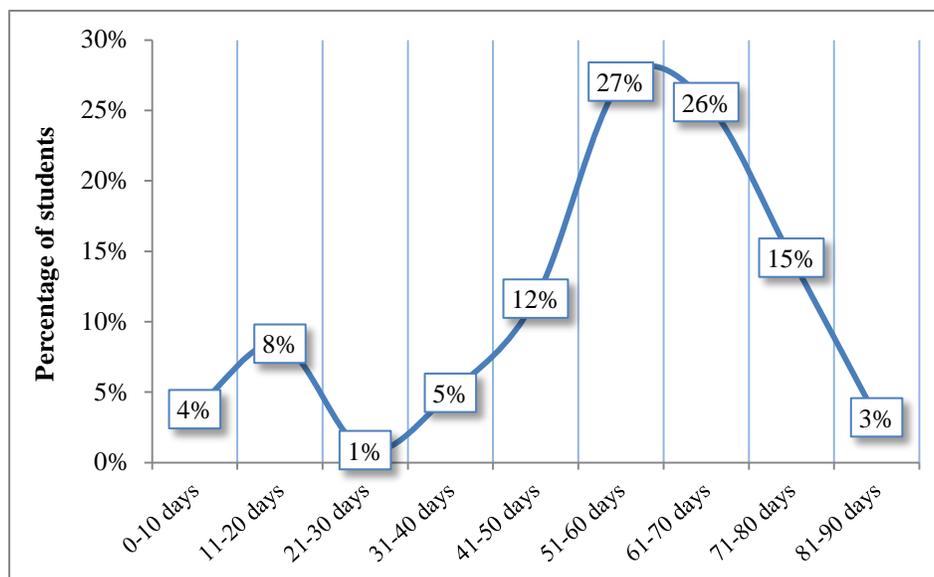
E-Learning Program for Investigative Police

USAID began the pilot phase of its e-learning program for investigative police, which consists of two courses: "introduction to the adversarial criminal justice system," and "crime scene investigation." The courses are conducted through interactive exercises and evaluations to monitor progress and 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 ongoing pilot phase involves 100 investigative police from the states of Baja California, Hidalgo, Nuevo Leon and Puebla. This quarter, Oaxaca joined these four states in agreeing to formally adopt the e-learning program to train both municipal and state police, independently of USAID assistance.

Master's on Human Rights for SSP Officials

The Latin American Institute of Educational Communication (*Instituto Latinoamericano de la Comunicación Educativa*) continued this quarter to conduct the Master's Certificate Program in Human Rights 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 human rights. This quarter, six-month module one on the "Democratic Rule of Law and Human Rights" was completed, and the next module entitled "Public Security, the Accusatory Justice System and Alternative Methods for Conflict Resolution" began. 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. On average, each student logged into the course platform (an online website) 53.9 of the 91 days of the quarter. Seventy percent of the students participated more than 51 days in the website, meaning that they participated at least four days per week.

Percentage of Students by Number of Days Active in Online Course Platform



With respect to interactive participation, 268 students took part in online events such as forums, blogs and video lessons, with an average of 14.9 interventions per student throughout Q2.

Challenges and Opportunities

2.1

During a time of transition ahead of the June elections it will be a challenge to consolidate its TA to SETECs in project design and management. USAID will continue building on its series of workshops carried out in each target state throughout the quarter, focusing in particular on Hidalgo (where there are only three full time staff members), Oaxaca (where new staff has been hired since the USAID training) and Puebla (where there has been a recent change in leadership). USAID support has led to the creation of strong and highly valued working relations with these institutions. .

2.2

USAID will strive to implement “Comprehensive Support Plans” for states in Q3, providing one plan per state that includes all justice sector institutions. A key challenge is to ensure a coordinated and balanced approach to State Judiciaries, PD Offices and AG Offices, rather than focusing so heavily on the latter.

- USAID has established and maintained strong working relationships with key justice institution stakeholders in each priority state, thus providing for positive political will for technical assistance. Furthermore, many government agencies are dedicating less attention and resources to the reform, and more towards the June elections. In this time of transition, the Program has established itself as a reliable and highly specialized counterpart for reform initiatives. USAID is also coordinating closely with state SETECs to ensure the coordinated and balanced approach necessary for engaging all key institutions in its Comprehensive Support Plans.

With an impending change in leadership of the UMECA in Morelos, a key challenge will relate to the appointment of the next director. This is a challenge in particular as USAID will not make the selection but will advise when possible during the process.

- The appointment of a new director for the UMECA will be a positive development, as at the moment the director is currently charged with heading not only the department that enforces sanctions and conditions for those standing trial (i.e. the UMECA), but the department that does so for convicted individuals as well (SEMPLA, acronym in Spanish). Morelos authorities will appoint two individuals for heading these two departments, thus allowing greater dedication and cooperation of the future head.

As a system for precautionary measures exists in Morelos, albeit much smaller and limited, a challenge will be to bring all of the various actors in line under and in support of the new, more complex and comprehensive system for PTS for adults. This also applies to the future PTS unit for adults in Baja California as well. The passing of reforms to the State SSP Act (*ley orgánica*) to accommodate for PTS in Baja California will also be a critical step for PTS implementation that USAID hopes will take place in Q3.

- USAID support will be critical for ensuring that justice officials accept the new systems for PTS and that there is effective inter-institutional coordination for their implementation. The political will and clear cooperation expressed by BC authorities, with the Director of the SSP in particular stating the high priority of PTS when setting a launch date of June 4, 2012, will be a considerable asset in PTS implementation.

With regard to women's justice, a lack of federal funding for new centers, as well as changes in counterparts at the national level, has led to the stalling of further collaboration with Women's Justice Centers.

2.3

It will be a challenge to expand the e-learning training platform which is currently in its pilot phase, and as such increase the coverage of its trainings provided. For that purpose, new courses will also be developed for this platform to reach out more justice sector officials.

USAID will also aim in Q3 to consolidate its comprehensive training strategy by deepening the institutional assessments carried out prior to determining training needs.

Assisting government training institutes to ensure future sustainable implementation will be achieved through a series of training manuals including training programs, pre- and post-training exams, and course materials, and thus allowing them to independently conduct their own training courses, and ensure even higher quality and extended coverage of its trainings as well as the sustainability of USAID training initiatives.

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 first reform monitoring report produced by the Citizens' Justice Observatory in Nuevo Leon; the training of 487 CSO representatives; the launch of activities for the four CPC-PGR projects; and the first ANPC Security Dialogue conducted between civil society and government authorities in Oaxaca. Furthermore, the Program 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.

Community Network for Restorative Justice in Chihuahua

USAID built the capacity of 19 representatives (16 women, three men) of eight local CSOs to establish a Community Network for Restorative Justice. Modules one through seven of an eight-module certificate course on restorative justice were taught in Q2. Through this training, the participants have gained knowledge and skills in areas such as communication, managing emotions, mediation, and negotiating conflicts, which will enable them to conduct restorative justice processes in their communities, significantly helping to reconstruct the social fabric in Chihuahua, a state heavily affected by violence. The course will be completed in April 2012, followed by the Network's formal inauguration.

Awareness Raising For Students and Teachers in Chihuahua

USAID provided TA to the Office for Crime Prevention on its project to conduct awareness campaigns in 115 schools, aimed at increasing students' understanding of the NCJS. It is estimated that this program will directly involve 35,000 students and teachers and indirectly benefit many more of their friends and family members. Citizens' resistance to the reform - often spurred by a lack of understanding - poses one of the greatest challenges to successful implementation, particularly in Chihuahua. This project will aid in the effort to spread information on the importance of an accusatory system that provides transparency and ensures the protection of rights.

USAID similarly conducted planning sessions with local bloggers and journalists to advance on the content, themes, tone and possible additional participants for the social-media-based "Don't Roll back the Reform!" public awareness campaign in Chihuahua. The campaign will also be critical in increasing citizens' knowledge of the reform.

Civil Society Forums on the New Criminal Justice System in Chihuahua and Baja California

With the purpose of building consensus on the benefits of the reform, as well as addressing its controversial aspects, USAID and the Oral Trials Network, a prominent national CSO, hosted the "Oral Trials: the Door of Opportunity to Greater Justice" forum in Chihuahua on the functioning of the accusatory system in the state, involving the participation of the Governor, AG and Chief Justice. The event included a presentation of findings from USAID's field study on reform implementation in Chihuahua, and four roundtable discussions addressing topics such as the new role of police, best practices and lessons learned in implementation, and recent legislative amendments. As the first state in Mexico to begin executing the reform, Chihuahua has served as a model for the country; however, given its recent trend away from the new system, it is critical that consensus is formed on the benefits of the reform and its controversial aspects are addressed, through events such as these.

In Mexicali, Baja California, USAID raised awareness among civil society about the principles of the CJR through the forum “Realities and Perceptions of the Reform.” Topics discussed included key achievements of the reform and methods for their communication; PTS; and the role of CSOs, among others. Justice sector officials, CSO representatives and academics participated in the event. Such forums are key to sharing information and improving understanding of the principles and advantages of the NCJS.

Citizens’ Justice Observatory in Nuevo Leon

This quarter marked the launch of monitoring activities for the Citizens’ Justice Observatory (CJO), the watchdog group formed with USAID TA and composed of more than 20 CSOs in Nuevo Leon, representing significant involvement of civil society in the NCJS. It began these activities hand-in-hand with the entry into effect of the accusatory system in the state in January 2012. Among its accomplishments, the CJO has conducted several working sessions with top state justice authorities, while also completing a checklist and preliminary indicators tailored to individual justice sector institutions to facilitate reform monitoring. They are centered on several axes, including institutional reorganization, training, and infrastructure and equipment. The CJO also produced its first diagnostic of reform implementation in Nuevo Leon, which it released in a press conference. It collected data from SIJUPE and justice sector institutions using 22 of its indicators divided into seven larger themes: political agreements; new legislation; institutional reorganization; technology; dissemination; and training. Using SIJUPE data in particular, the CJO concluded that the state is at 60.2% of where it needs to be for successful reform implementation.

Monitoring Reform Implementation: Fourth National Forum on Justice and Security

USAID began working with the Oral Trials Network to plan the Fourth National Forum on Justice and Security, which this year will focus on engaging presidential and Mexico City candidates on the promotion and support of the CJR. They will use this space to define their specific strategies toward the reform, bringing the NCJS to the forefront as a campaign issue. The event, has been scheduled for May 22 to 24, 2012, marks important collaboration between government and civil society to foster the NCJS and improve overall reform implementation.

Fostering Key Alliances among CSOs Working in Areas Related to Security and Justice in Collaboration with the ANPCP

The ANPCP advanced in all seven target states on engaging CSOs in the promotion of the reform, further building and strengthening the State Stakeholder Group of CSOs in those states. Six “Social Dialogues” were conducted by the ANPCP throughout the quarter. These dialogues are forums in which State Stakeholder Group CSOs discuss local concerns and issues that the organizations want to address and to bring up with local authorities. The results of these Social Dialogues then serve as the basis for the subsequent State Security Dialogues carried out with local authorities.⁶ These discussions fomented key alliances among CSOs working in areas related to security and justice, and provided a space for discussing critical community issues and developing strategies to address them. Indeed, the first of the Security Dialogues was conducted in Oaxaca in February.

National Media Campaign on the NCJS

USAID made significant advancements on its creative campaign on the NCJS, for which it has hired the organization *Centro de Investigación para el*



⁶ The Security Dialogues are distinguished from the Social Dialogues by the fact that no authorities are present in the latter.

Desarrollo (CIDAC) to coordinate. It finalized the slogan and logo, and drafted the scripts for four YouTube videos that will be produced as part of the project. Additionally, it has developed the content of the brochure and website, and determined the steps to be taken to successfully employ social networks. Upon its launch in May 2012, the campaign, which will target civil society and the general public, will be a major tool for garnering citizens' understanding of and support for the reform, thus significantly contributing to the overall sustainability of the reform. The videos will be released in an event for organizations and academic institutions that will then participate in their dissemination, while USAID will also take advantage of social networks to reach a wide audience of citizens.

ANCPC Media Campaign on the NCJS and Citizen Participation

USAID provided TA throughout the quarter to the ANCPC to coordinate on its media campaign on the NCJS. It will target civil society with the aim of raising awareness about the ANCPC and encouraging citizens, especially young people, to participate in their communities – by denouncing crime and joining organizations and local causes. 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. The ANCPC issued a Request for Proposals to recruit a company to execute the media campaign, and sent the request to no fewer than ten agencies. The Torreón-based *Globo Servicios* was ultimately selected, with whom USAID and ANCPC will begin an intensive series of working sessions in April 2012 and ultimately launch the campaign following the presidential elections in July.

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

During Q2, with USAID assistance, the CPC-PGR continued implementation of four projects that aim to promote citizen involvement in disseminating information on the reform amongst their communities, denouncing crime, as well as identifying and reporting inefficiencies, corruption or abuse. These projects and their quarterly achievements include:

- *Formando Líderes Ciudadanos*: Strengthening Community Leaders for the Implementation of the Criminal Justice Reform. This quarter marked a major milestone for this project, as it launched a series of workshops on x, y, z, for CPC-PGR state committees, journalists and the National Federation of Parents' Association on the NCJS. In January, workshops were carried out in five Tier 1 states, namely Baja California, Chihuahua, Hidalgo, Nuevo Leon and Puebla, and ten more were carried out in February and March in Aguascalientes, Campeche, Coahuila, Durango, Guerrero, Mexico City, Morelos, State of Mexico, Veracruz, and Zacatecas. In total, this project trained 2,152 individuals in Q2, with an estimated 400 additional community leaders still to receive the course in the final five states in Q3. Overall, the Strengthening Community Leaders project will lead to the creation of a pool of activists and journalists that are knowledgeable about the NCJS and well-prepared to foster the reform.
- *Transparencia Focalizada*: Strengthening the CPC-PGR Center for Reporting Complaints to Increase Transparency Combat Corruption. Across nine branches of the Federal Office in Mexico City, this project launched a promotional campaign for its Complaints Center, distributing 7,600 leaflets to the public to encourage citizens to report misconduct by public officials. In coordination with the campaign, the CPC-PGR administers surveys to PGR users to see how they viewed the services received. This project will build citizen confidence in



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and increase credibility of the government by receiving, addressing and following-up on their complaints.

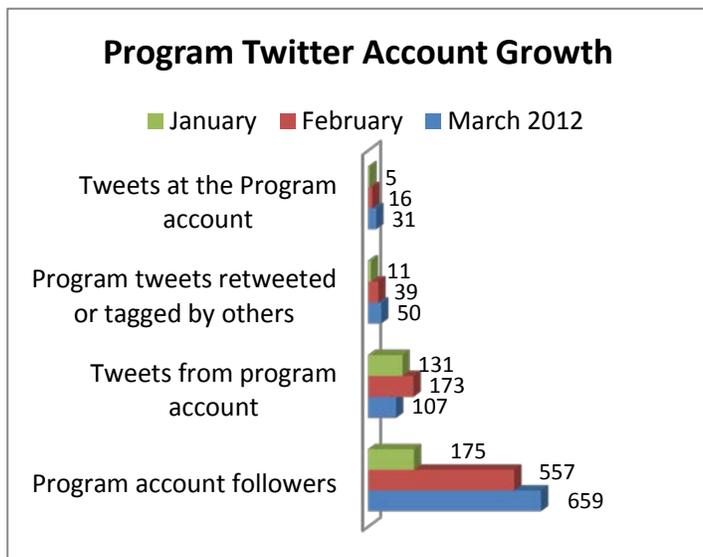
- *Ciudad Posible Sí*: A culture of mediation and justice for public schools in Ciudad Juarez. This project will incorporate academic activities on justice and peace into 60 public schools in Ciudad Juarez, providing young people with an understanding of the underlying values of the NCJS and giving them new tools to resolve conflicts peacefully. This project initiated trainings for 64 high school teachers in Ciudad Juarez with the aim of promoting of a culture of mediation and justice among their students.
- *Narrar para Convivir*: Telling Stories to Coexist. This project will use festivals as a forum to disseminate information about the CJR as well as teach indigenous people of Salina Cruz, Oaxaca about their individual rights. As it imparts information on the system and each individual’s role within it, the project will promote a sense of ownership among its participants, and thereby citizen involvement in the NCJS. During this quarter, the group launched a series of workshops for 100 primary school teachers in Oaxaca on creative ways to communicate the principles of the justice reform, such as through poetry, illustration and music, indirectly benefiting an estimated 3,000 students. The teachers will then in turn carry out their own workshops on the NCJS in their communities. The CPC-PGR, through this project, will strengthen the justice system by encouraging citizen engagement, responsibility and participation.

Throughout the quarter, these four projects trained a total of 2,316 individuals, including teachers, CPC-PGR state committees, journalists and members of the National Federation of Parents’ Association. These trainings will indirectly benefit an estimated 35,100 individuals.

Program Twitter Account Captures Audience on the Criminal Justice Reform

The Program Twitter account has captured a growing audience on the CJR, with 678 followers, up by 287% since its re-launch in January 2012. The account was tweeted at 57 times, and its posts were re-tweeted 111 times, showing a clear interest among its followers, with the most popular topics tweeted and

re-tweeted in Q2 consistently being transparency, human rights, alternative justice, and trainings, and the states most commonly mentioned being Oaxaca (16) and Chihuahua (ten). One tweet from a follower in February illustrated the account’s ability to inform and connect various actors, stating “Looking to ask and find out about the New Criminal Justice System in Yucatan and San Luis Potosi, if you know anything give me a shout.”⁷ Another demonstrated the public’s growing understanding of the reform principles, stating “If in Mexico its not possible to have public and transparent trials democracy is not



⁷ Original text: “Para preguntar y saber sobre el Nuevo Sistema de Justicia Penal en edos: @TSJ_Yucatan @ReformaPenalSLP, si saben de otro +, échenme un grito”

possible.”⁸ An article on US training to the Federal AG Office on oral trials⁹ was one of the most tweeted items in Mexico for two days in February, as was another article mentioning the CPC-PGR training in Veracruz¹⁰ in March.

CSO Trainings and Clear Increased Knowledge Demonstrated

In Q2, USAID trained 487 representatives of civil society organizations (319 women, 168 men). The CSO trainings were carried out in Baja California, Mexico City and Nuevo Leon and addressed topics such as: fundraising strategies; alternative justice mechanisms; and litigation, for defense attorneys working for CSOs. During Q2, 484 CSO trainees were tested on knowledge gained through pre- and post-training exams. 91.1% of CSO representatives’ scores increased on the post-test. Their average grades increased from 4.7 on the pre-test to 7.4 on the post-test (on a ten-point scale), an average increase of 58%.

Program Grantees

USAID continued to work with its grantees this quarter, officially closing seven of the projects, bringing the total closed to 26, with 16 projects still ongoing. Significant achievements by the CSO grantees are highlighted below, including a review of the closed projects.

USAID funded CSOs Benefit over 394,000 Persons

The 42 USAID CSO grantees presented accomplishments in their projects addressing justice and security, human rights, trafficking in persons, victims’ assistance and social cohesion to the Government of Mexico and the U.S. Ambassador to Mexico. It is estimated that these CSOs have benefited 123,596 people directly and 270,509 indirectly in 16 states through workshops, institutional strengthening, surveys and awareness campaigns, among other activities. In addition, through USAID assistance, ten alliances to increase impact have been made across organizations. The U.S. Ambassador, Representatives of the Mexican Secretariat of Governance and Foreign Affairs Department and the USAID Mission Director participated and praised the progress made in fostering the reform and its principles among civil society.

USAID Grantee Spurs Citizen Strategizing for Political Engagement

USAID conducted a working session with grantee *Colectivo de Análisis de la Seguridad con Democracia* (CASEDE) to discuss dissemination plans for the findings of the survey it carried out on the effects of violence related to narco-trafficking on social behavior. Thus far, CASEDE has conducted workshops with civil society organizations in Mexico City, Guadalajara, Jalisco, and Tijuana, Baja California, as well as presented the survey results at a conference in Washington, D.C. The findings are also available on CASEDE’s website: www.seguridadcondemocracia.org. The dissemination of the findings aims to generate debate among civil society on strategies for influencing public policies to the benefit of communities.

⁸ Original text: “@PresuntoC @javbb @JustoDerecho si en México no es viable tener juicios públicos y transparentes no es viable la democracia. ccp @AnaPOrdorica”

⁹ El Universal, February 7, 2012, “Gobierno de EU capacitará a PGR en juicios orales”
<http://www.eluniversal.com.mx/notas/828315.html>

¹⁰ Veracruz Informa, March 2, 2012, “Expertos de Iniciativa Mérida capacitarán a veracruzanos en Juicios Orales”
<http://veracruzinforma.com.mx/archivo/2012/03/expertos-de-iniciativa-merida-capacitaran-a-veracruzanos-en-juicios-orales/>

Closed Program Grantees Grants

- *Ririki Intervención Social* completed its “Emotional Strategies for public officials in Ciudad Juárez” project, entailing the publication of a manual for public servants on rapid intervention as well as a related report submitted to the government, thus directly benefitting approximately 1,050 individuals and indirectly benefitting an estimated 2,100 additional individuals.
- *Centro de Derechos Humanos Paso del Norte* completed its Comprehensive Human Rights Defense for the Community project, to support victims of human rights violations via therapy and workshops, directly benefitting 320 individuals and an estimated 640 individuals indirectly.
- *Instituto de Atención Especial a Niños* completed its project, providing after-school programs for children living in low-income and high-risk neighborhoods in Ciudad Juarez, Chihuahua. This service allows parents to not compromise their work day while ensuring that children are under the care and supervision of educators, thereby avoiding undue exposure to violence and vulnerability to gangs. It is currently the only school in the area that offers an extended hours program. In the mornings, the school is based on a Montessori model, while in the evenings, it offers computer classes, music and dancing and a chance to do homework. Program funds have supplemented school fees for 75 children, as well as early learning courses for 25 toddlers and classes for 25 mothers in trades such as sewing. In addition, it has provided psychological therapy to the children and their families to counteract the effects of increasing crime in the local community. In total, it directly benefited 125 individuals and an additional 146 indirectly.
- *Fundación de Apoyo Infantil*: This project raised awareness among 2,000 children about Trafficking in Persons (TiP) through workshops in Quintana Roo elementary schools. Additionally, it facilitated an agreement among five businesses working in the tourism industry to train their personnel in preventing TiP. Finally, it produced a teaching guide on the topic aimed at children and adolescents, distributing 40,000 copies in five municipalities. In total, this grantee directly benefited 23,220 individuals, having an indirect impact on an estimated 56,200 people. Furthermore, with USAID TA, the organization established an alliance with another CSO that trains teachers in TiP.
- *Casa de las Mercedes* provided assistance to 56 children and adolescents victims of TiP. Additionally, it conducted an awareness campaign in Mexico City on TiP together with two other grantees (*Casa Alianza* and *Fundación Infancia*), which included trainings for 142 officials in Oaxaca and 60 in Jalisco. Overall, *Casa de las Mercedes* benefited 4,232 individuals directly and an estimated 8,464 indirectly. Through USAID support, this grantee likewise established alliances with additional organizations such as *Comisión Nacional de los Derechos Humanos México* and *Comisión Intersecretarial para Prevenir y Sancionar la Trata de Personas* which will work together to provide trainings on TiP and other topics related to victims’ assistance.
- *Liberaddictus*: This project raised awareness among public officials about secondary victims¹¹ of crime. It produced a book entitled: “The Daily Face of Violence: Moving Society to Support Secondary Victims of Violence.” This organization thus gave visibility to and informed public opinion on victims’ rights within the framework of the CJR, distributing 1,000 copies of the publication. *Liberaddictus*, through its book and other awareness-raising activities, directly benefited 3,360 people and an estimated 6,720 indirectly.

¹¹ The term “secondary victim” refers to someone who is not injured or directly at risk, but still effected in some way by the offense committed to the primary victims (such as relatives, eyewitnesses, rescuers, etc).

- *Centro Familiar Proyecto de Vida*: This grantee reached more than 3,000 individuals in Ciudad Juárez, Chihuahua, through its violence prevention program aimed at parents and high school students. Additionally, through USAID assistance, it established alliances with other organizations such as *Casa Amiga Centro de Crisis*, which also provides assistance to victims of violence. These will collaborate to offer more comprehensive services and coordinated activities. They will also join forces to promote greater cooperation among government, businesses and community centers in victim support and assistance. Overall, this grantee directly benefited 4,312 individuals and approximately 16,496 indirectly.
- *Plan Estratégico de Juárez* completed its “*Así Estamos Juárez*” project, by developing and collecting data on 800 indicators addressing 140 topics measuring quality of life in Ciudad Juárez, well-known as the most dangerous city in Mexico with one of the highest murder rates in the world. The findings analyze the city’s current situation in terms of development while identifying strategic areas needing continued attention and assistance. Four topics were addressed: 1) *these are my rights*; 2) *this is my city*; 3) *this is how my economy is*; and 4) *this is how my government and citizen participation function*. This project benefited an estimated 1,510 Juárez citizens directly and 3,020 indirectly.

In Q2, USAID determined the criteria and sub-criteria to be used to select transition grantees. These include whether the CSO: has been established for at least one year; has received prior awards from other donors; and works on issues directly related to the CJR. It then selected 15 CSOs from the 45 with which it has worked to be these transition grantees. USAID is now in the process of planning capacity building events for these organizations.

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

Journalists Capacity Built for Better Reporting

This quarter, USAID made significant progress on its strategy to increase journalists’ understanding of the CJR. It conducted two workshops on writing articles about crime under the NCJS: the first for 20 journalists in Pachuca, Hidalgo, and the second for 18 participants in Chihuahua, Chihuahua. It thereby built the capacity of the 38 journalists to write accurately about the CJR and to respect the principles of the new system in their pieces. Daily monitoring of the media shows that of those trainees, 17 have since written 37 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 a firm understanding of the criminal justice system and respect for the rights of both the accused and the victims, honoring the value of the presumption of innocence. Articles have been published in the national *Reforma* newspaper, *El Heraldo* of Chihuahua, and *El Norte* of Nuevo Leon, amongst others.

Journalists Take Up Role as Key Disseminators of Reform Information

Media monitoring and analysis has shown that USAID-trained journalists in Hidalgo and Chihuahua are respecting the principles of the reform in their articles, as demonstrated through 16 Hidalgo pieces published since the completion of a USAID course in January 2012, and 13 pieces published in Chihuahua in the two weeks following the close of the course in March. Using the USAID scorecard to measure the quality of these publications, it has been verified that these reporters demonstrate respect for the rights of

both the accused and the victims, honoring the value of presumption of innocence.

USAID conducted the first of its Speaker Series for journalists to discuss the reform in an accessible and jargon-free manner, so that they can in turn clearly and correctly communicate the new system to the general public. Through this first event, it became clear that the media lacks information about the NCJS, in particular its primary objectives. USAID presented information on principles such as due process and the presumption of innocence, which was received with great interest and a desire for more in-depth training by the participants. The next two forums in the series are scheduled for April and May 2012 and promise to likewise clarify the myths and realities of the Mexican CJR, generate interest in its benefits, and foster greater coverage of the new system in the media. As highlighted by the participants: good laws are not enough to make a good criminal justice reform; those using the system must understand the processes and objectives.

Challenges and Opportunities

3.1

USAID aims to replicate the success of the CJO in other target states. The challenge, however, is that Nuevo Leon had a pre-existing pool of strong and active organizations, that many other states lack. In order to support the creation of observatories in other target states, USAID will identify CSOs in other states that are recognized in their communities that can act as leaders in the effort, convoking the participation of additional, smaller organizations. Finding an effective manner of reaching the Chihuahua population with the “Don’t Turn Back the Reform” campaign has been challenging as many citizens have never heard of the CJR, and those that do have been saturated with negative messages about it. USAID has been working with CIDAC, a prominent think tank with extensive experience utilizing social media to communicate messages to the public, to develop videos that will reach the Chihuahua general population, informing citizens of the existence, purpose and benefits the NCJS.

3.2

Editors have posed a challenge for advancing Program efforts with journalists in two ways. First, editors do not always see the benefit of USAID courses and Speaker Series events as they do not directly result in the production of an article. Second, while reporters that have benefited from these USAID events may change their approach to writing articles, editors continue to adjust the pieces, deciding final outcome of the published version. To address these challenges, USAID has begun inviting editors to also participate in its courses and Speaker Series events. Likewise, in the future Speaker Series events, the Program hopes to tackle issues that are newsworthy, so that reporters leave not only with increased understanding of the CJR, but also with a product for their papers. The USAID Manual for Journalists on Reporting on the NCJS, which will be completed in April, will serve as an additional tool for reaching media representatives and raising awareness on the reform and the importance of understanding its principles.

Annex I. Success Stories

Beyond books: A USAID study tour gives judges hands-on experience in the New Criminal Justice System

As a judge in the state of Hidalgo, Norma Sandra Barrones Castillo had at least a passing familiarity with oral, adversarial legal systems -- just like the one Mexico is currently implementing. But as she and hundreds of fellow justices grappled with learning the practicalities of the biggest shake-up in Mexico's courts ever, she quickly realized that books could only take her so far.



"Reading is very different," she said. "Books can teach me how to do it in theory but they will never teach me how it works in practice."

That's where the USAID-sponsored Comparative Program of Criminal Accusatorial Systems proved invaluable. Over a four-month period starting in 2010, 113 justices were sent to witness trials in the United States, Chile and Colombia -- three countries that have varying depths of experience with

legal systems similar to the one that Mexico is adopting.

Over several weeks, the Mexican participants observed real trials, reviewed the relevant jurisprudence, and questioned defense attorneys, prosecutors and judges about legal strategy and principles under the accusatory system.

"It was an incredibly valuable tour," said Hector Lara, a federal criminal appeals-court justice. "It is critical to see how these systems work in practice, and how things unfold in the courtroom."

Under Mexico's old system, they never needed to know those things. Judges simply received the findings of prosecutors who did the investigating. There was no questioning of how that evidence was obtained, and it was difficult, if not impossible, to determine whether or not it was valid. There were no courtrooms, no public audiences and no ability to cross-examine neither witnesses nor experts.

But on the U.S. leg of the tour, Justice Lara saw how evidence was admitted and evaluated in an adversarial system. A particularly revealing moment occurred in a Boston courtroom when the defense used photographic material to discredit testimony by a prosecution witness who claimed to have seen the defendant committing the crime.

"I was impressed that a simple satellite photo was more than enough proof to discredit an eyewitness account," he said. Justice Lara, who was one of the participants on the tour who had a bit of experience new system, also saw how judges in the U.S. maintained their impartiality and admitted into court evidence obtained from defendants with legal representation present during questioning.

As a result, when he returned to his duties at a federal in the state of Toluca, he threw out verdicts where the court judge had intervened in the trial process by questioning witnesses and defendants. He also threw



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verdicts where a defense lawyer had not been present to advise the defendant as he gave his version of events.

The justices selected to participate in the Fletcher Program didn't just sit in courtrooms. "We were busy from 8 a.m. till 8 p.m.," said Judge Barrones Castillo. "We took classes every day, heard guest speakers during meals, and left with a real understanding of the theory."

That academic dimension to the USAID-sponsored training was key when participants returned to Mexico. For example, the Federal Supreme Court, in coordination with Mexico's Federal Council for Justice Administration and the Federal Technical Secretariat of the Criminal Justice Implementation Commission (SETEC, acronym in Spanish), conducted a certificate course on the Criminal Justice Reform for 8,600 participants, including judges, attorneys, academics and law students. In doing so, it took advantage of many of the Fletcher-Program graduates to pass on what they had learned from the United States, Colombia and Chile.



Maria de la Luz Quiroz Carbajal, a justice in the State of Mexico, was one of them, and has taught classes in at least 10 states throughout the country since her return. "It's all about sharing what we learned," she said. "Thanks to the Fletcher Program, Mexico now has more than 100 teachers it didn't have before."

Building Justice in Mexico: How USAID support led to the creation of Oaxaca's first Women's Justice Center

On a recent sunny afternoon in southern Mexico, Ileana Araceli Hernandez, Deputy Attorney General (AG) for the state of Oaxaca, was busy studying some documents spread over a large table in her office. But this was not her usual bundle of legal papers: they were large-scale architectural drawings, mapping out what will soon become the state's first ever Women's Justice Center.

"This will be the reception, and this will be where we look after victims of domestic violence," she explains, running a finger over several details on the plans.

The center, whose funding the State's AG Office secured this month, has been Ms. Hernandez's dream ever since late 2010 when she went on a USAID-sponsored training visit to the state of Nuevo Leon in northern Mexico.

"That was the inspiration," she says. "The experience made me realize exactly what we had to do here in Oaxaca. It gave me a glimpse of the future."

The trip, together with a subsequent journey to the Mexican state of Chihuahua, proved instrumental for Oaxaca because it gave Ms. Hernandez, as well as other state officials, the chance to see how different Mexican states had already begun to implement the country's 2008 Criminal Justice Reform.

One of the guiding principles of that reform is to orient the criminal justice system towards protecting the rights of victims of crime rather than just punishing the perpetrators. As Ms. Hernandez puts it, "for many years, our justice system forgot about victims' needs."



That is what the new Women's Justice Center is all about. The intention is to have an integrated center that can provide

a full range of multi-disciplinary services for women, including a representative from the state social development ministry and one from the state employment ministry, to facilitate individual's access to job opportunities if they need work, to complement its other medical, legal and social services.

If Ms. Hernandez has her way, there will even be a judge on hand to provide victims with rulings on divorce, financial settlements and custody of children.

Within the reform framework created by Mexico's Federal Government, the State of Oaxaca has invested five million pesos (approximately 395,300 USD) in infrastructure to make the Women's Justice Center a reality. The government's hope is that this will be the first in a nationwide trend to establish these state centers with the federal support from the Secretariat of Governance and the National Commission for the Prevention and Eradication of Violence against Women (CONAVIM, acronym in Spanish), a movement which USAID has jumped at the opportunity to facilitate.

There is no doubt that the state needs it. The acutely poor and mountainous state on the Pacific coast, while improving in terms of security with homicide steadily decreasing over the last decade, still suffers from issues such as an 81.7 percent impunity rate for murder and 83.7% proportion of unreported crimes.

Yet Oaxaca has already started to take important steps forward. Thanks to the USAID-sponsored trips, Ms. Hernandez and her team established the Special AG Office for Crimes against Women (*Subprocuraduria de delitos contra la mujer por razones de género*), which they grew from a much smaller unit within the State AG Office.

Located on a central block of Oaxaca City, just a stone's throw from the city's enchanting colonial-era square, the office provides a wide range of assistance to women who have suffered crimes such as domestic violence and rape.

Against magnolia-colored walls, there are new filing cabinets and computers, which have helped systematize information on this issue for the first Social workers, a doctor and psychologists are all hand to attend to victims' needs. In 2011, the office handled 1,732 cases – many of them involving women in the throes of despair following a violent crime.



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One of them was 20-year-old Rosa Pérez,¹² who arrived at the office a few days after being jolted her sleep and then brutally raped by an uncle. Helpless and frightened, and tormented by a deep sense of humiliation, Rosa found a lifeline at the office as staff provided psychological support and legal assistance – at zero cost.

from

"I couldn't speak, I felt so ashamed and I didn't want anyone to see me," she recalls. "But here, I got the help I needed. I feel I am no longer alone." The Office staff continued to provide her with support for several months after she first turned to them.

None of that professional help would have been possible without USAID, which trained all of Ms. Hernandez's staff through a series of seminars, workshops and study tours. That training has taught staff about the rights of victims under the new system, and how to provide victims with legal, employment and psychological assistance, among other topics.

¹² Name changed to preserve the victim's anonymity.

By training staff to develop and strengthen their own organizational structure, USAID has enabled them to provide an integral approach to victims for the first time – one based on an inter-disciplinary and inter-institutional approach that strengthens Oaxaca’s organizational infrastructure.

The result is enhanced and systematized procedures for victims’ assistance in the state, ensuring the protection of their rights in accordance with the principles of the new, accusatory system.

In all, USAID has trained 34 members of the Special AG Office for Crimes against Women. And with more training in the pipeline, including a program in San Diego, California, in May, there is every chance that Oaxaca’s Special AG Office will continue to make the difference for the people most in need of help.

As Ms. Hernandez says, “if you don’t train, and if you don’t get to see what other people are doing, you are condemned to a life without innovation and to be trapped within the confines of what you already know.”

Rebuilding Lives in Mexico: USAID-trained staff in Oaxaca State use restorative justice to help families overcome tragedy

The rain was falling hard when Javier Juárez¹³ set out with his father and two brothers into the wilds of southern Mexico one June morning. The four were heading to a remote coffee farm to bring back some plants, but Javier raced ahead with his older brother to try out a homemade gun that he had brought along.

That was when tragedy struck. As the 14-year-old took aim at a squirrel he had spotted in a tree, he lost his footing and the shot went careening into his brother’s head, killing him shortly afterwards.

Three days later, as his loved ones grieved, Javier went to juvenile prison. “All I could think about was my family,” he remembers. “I wondered whether I would them again. I felt so alone.”

Under Mexico’s traditional inquisitorial-based justice system, the chances are that Javier would have spent years there – even though the shot he fired had been an accident. Neither he nor his family would have received counseling or psychological to overcome the tragedy. They would also have had to spend precious time and scarce resources on prison visits and lawyers’ fees.



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Specialists from the Oaxaca’s Center for Restorative Justice

But today, and thanks to USAID’s efforts to help and strengthen implementation of Mexico’s landmark 2008 justice reform, Javier is not languishing. Instead, he is busy constructing a future – both with his family and with his community.

¹³ Name changed to preserve anonymity of the individual

Under the new justice system, the 14 year old only spent five days locked up before a judge presiding over his case referred him to Oaxaca's Center for Restorative Justice, a recently created division of the state's Attorney-General's Office. That is where USAID-trained experts took up his case and began the delicate task of rebuilding his life and those of his family.

Each of the six members of staff at the centre have received more than 100 hours, on average, of USAID training. The courses, which include a diploma in alternative methods of justice, training to deal with trauma, a course on resolving conflicts and a specialization on restorative justice, have both theoretical and practical elements to prepare staff for the complexities of cases like that of Javier.

In 2007, when the centre first started operating, the team took on 90 cases. Since then, the number has risen fast and, last year, totaled 198. Their work has provided alternative justice for those involved, alleviating the heavy workload of judges along the way.



Train-the-Trainer course on mediation techniques for mediators from Baja California, Hidalgo and Oaxaca (March 2012).

In Javier's case, both he and his family received four face-to-face sessions with mediators and the center's psychologist. Over the course of several weeks, staff applied the knowledge they had acquired through the USAID training to bring the family together, and to help them start thinking about the future.

As Javier's father, put it: "Before I came here, I couldn't control myself. Now, there is more clarity."

Javier did six months' community service, sweeping the streets of his village and integrating with the people from whom he could so easily have been ostracized. Today, he is living back at home, working and providing the necessary

help that his family need.

As part of the restorative justice process, mediators helped Javier to find peace with his family, and to overcome the tragedy that could have distanced him from the people he most loved. He pledged to cut wood for his mother to cook with, just as his brother had done up until his death. He also works odd jobs, contributing another income to an otherwise poor household.

Had it not been for the alternative justice afforded by Mexico's new justice system, and for the professional help that he and his family received through USAID training, things might have been very different. As Javier's father says: "We could have lost both children but today we are working through our problems. We are starting to look towards the future."

Making Mediation Work: USAID Promotes Alternative Justice and Reconciliation

Maria and Juan Pablo¹⁴ never imagined that they could meet face-to-face in a room and achieve reconciliation. They never dreamed that after all the tragedy and suffering they could find peace.

It had all been too hard, too horrible. Since the hit-and-run accident in July that had killed her five-year-old child as he strayed into the street, Maria had been obsessed with finding the guilty person and seeking revenge. She didn't care if doing so destroyed her life.

"I just wanted to find the person who had killed my son and make him pay," she said.



But instead Maria took a different path. She forgave the 21-year-old Juan Pablo for his responsibility in her son's death and set about rebuilding her life, thus preventing the cycle of remorse and revenge that can do so much to destroy societies.

That ending, so rare in most cultures, would not have been possible without a new program in Mexicali called the State System for Alternative Justice (SEJAP), which uses trained mediators to bring aggrieved parties together to seek some measure of reconciliation and reparation.

SEJAP "helped me to think differently, to let go of revenge, to arrive at a just solution," said Maria.

Inaugurated in Mexicali in July 2009, with assistance from USAID in the program's design and the training of its mediators, SEJAP has helped resolve more than 15,000 cases in the city and more than 31,000 in the rest of the state of Baja California. By taking on those proceedings, ranging from civil ones, like property damage, to minor criminal ones, such as small-scale fraud, non-violent theft, and hit-and-run accidents, SEJAP has radically reduced clogging in the courts.

It has freed up judicial personnel to focus on the most serious crimes like drug trafficking, kidnapping and homicide. And it has allowed aggrieved parties to use mediators to arrive at their own solutions, rather than having solutions imposed that might not mesh with their concept of fairness.

That has made SEJAP a vital part of Mexico's ground-breaking transition begun in 2008, from a written trial system to an oral-based, adversarial one. Indeed, there have been no repeat offenses among people who have committed a crime and gone through the SEJAP process in Mexicali.

"SEJAP provides lots of benefits, said Kaleope Leal, an agent in the Attorney General's Office in Mexicali, who oversees a team of mediators that has received extensive training in conflict resolution from USAID. "Apart from relieving the courts, it contributes to a culture of peace by bringing victims and their victimizers together and helping them reconcile and transform crimes into something positive," she said.

That was certainly true for both Maria and Juan Pablo, a young father who had been in a bad mood when he sped around a corner and accidentally struck Maria's young child as he strolled out into the middle of the street. Juan Pablo panicked, fled the scene, and abandoned his car, reporting it as stolen in the hope the police would not trace it back to him.

¹⁴ Names changed to preserve anonymity of the individuals

But afterwards, his life became a torment. As Maria haunted precincts and internet sites in furious pursuit of person who had taken her son from her, he sank into a depression. He couldn't sleep and became obsessed with need to turn himself in, despite his own family's objections. He even secretly attended the child's funeral.

By the time, the police picked him up and prosecutors recommended his case to SEJAP mediators, Juan Pablo ready for anything. So, in her agony and hatred, was Maria.



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Then came the hardest part. During two months of one-on-one sessions, Flor López, a social worker trained by USAID to help people empathize and imagine themselves in others' shoes, worked with Maria and Juan Pablo to prepare them for the critical moment when they would meet.

For Maria, those sessions did more to heal her wounds than all the work she had done previously with psychologists and psychiatrists to try and make sense of her loss. Lopez did everything she could to satisfy Maria desperate need for information as to what had actually happened and why Juan Pablo had abandoned the scene. Maria, for example, learned that Juan Pablo had never intended to hurt her son, had been stricken with fear at the scene of his crime, and had been paralyzed with guilt and remorse ever since. She learned to identify with Juan Pablo's suffering and let her anger go.

By the time of the critical meeting with Juan Pablo at SEJAP's offices six months after the accident, Maria's hatred was gone. She saw Juan Pablo as "utterly destroyed" and realized that she could have been the driver behind the wheel. "I understood this could have happened to me, that I might have behaved the same way, and that I would gain nothing by killing him or seeing him in jail," she said.

Juan Pablo, meanwhile, repeatedly begged for forgiveness and offered to pay Maria's son's funeral expenses - an offer Maria accepted with a handshake.

Maria is now working to rebuild her life, repairing a separation the tragedy inflicted on her marriage. Juan Pablo, too, is beginning anew. His crime has been stripped from the record and he has returned to work, eager to appreciate his own family as much as possible.

"Without the alternative justice system, these two people would have been in court for as long as two years and Juan Pablo would have faced a sentence of five to eight years in prison," said Leal. "Instead, and because of SEJAP, Juan Pablo was able to ask for forgiveness, give back to Maria her sense of tranquility and security and participate in a process of healing."

Building a Team: USAID Helps Bring Law Enforcement Officials Together to Fight Crime

When Pedro Ramos¹⁵ was hauled before a judge on suspicion of armed robbery and rape, police and prosecutors in Mexicali felt they had ample reason to be proud. They knew they had pulled off a meticulous operation with exceptional speed and efficiency.

Under an old system of police procedures, there would have been too many formalities to compiling evidence, too many difficulties in making a positive identification. Police knew that there would have been a high chance of him slipping away.

"This arrest was possible because of very tight collaboration between municipal police, investigative police and prosecutors," said María Coronado, a prosecutor at the Sexual Crimes Unit in Mexicali. "It was made possible by changes in the system."



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The improvement in law enforcement in Mexicali has come about thanks to innovations in Mexico's landmark justice reform, which increases the responsibilities of the police and empowers them to not only prevent crime but to investigate it and assist prosecutors in building cases.

And USAID has played a critical role in turning those reforms into practice. Specifically, USAID has provided technical assistance in developing protocols that divide duties precisely among police, and facilitate seamless communication between police and prosecutors.

Since the protocols went into effect last September in Mexicali's Sexual Crimes Unit, police participation in investigations has doubled, and the number of investigations completed successfully has increased more than 140%.

"Better coordination between police and prosecutors has made a huge difference," said Rosa Mendoza, the police coordinator at the Sexual Crimes Unit. "Because of the protocols developed with USAID, we are now able to minimize the time we spend apprehending a suspect."

One of the most important aspects of the new protocols is the way they define exactly what police should do in the aftermath of crime.

For example, municipal police, who in the past did little more than cordon off the crime scene, now immediately start identifying evidence, gathering names of and interviewing witnesses, and ensuring the safety of public officials and civilians in the case of a bomb threat or other danger.

Investigative police, who once had to wait for orders from prosecutors, now take the initiative from the moment they arrive on site. They carry out a thorough interview of witnesses, analyze evidence, and call in experts in ballistics, fingerprinting and chemical forensics.

Police say that the speed of the new system allows them to collect evidence that might otherwise have disappeared or decayed under the old system.

¹⁵ Name changed to preserve anonymity of the individual

Meanwhile, police and prosecutors, who rarely worked side by side in the past, are encouraged by the protocols to meet every day. They plan the tactics of individual cases and are in constant contact as investigations unfold.



"There are only a few steps between the offices of the police and prosecutors here at the Sexual Crimes Unit. But that distance was once an abyss," said Mendoza. "Now we work together, apprehend suspects more quickly, and obtain evidence that stands up in court."

That is what happened last November in the Ramos case after the police received a call one day at 11:30 in the morning on the emergency hotline informing them that a well-known ice cream shop had been held up and its hostess raped at knife-point.

As prosecutors debriefed the traumatized woman back at headquarters and helped her through medical exams and psychological counseling, police were working the scene, interviewing witnesses and carrying out forensic analysis on the knife used in the assault as well as on bodily fluids and DNA in the bathroom where the rape had been committed.

Then, as soon as prosecutors obtained a physical description of the assailant from the victim, they were on the phone with the police who stepped into action, using that information to comb police precincts for records of arrests of suspects matching the description. By 6:30 that night, the team had Ramos in hand - a vagrant dressed in old, filthy clothes who had been arrested previously on charges of public harassment, assault, and possession of a deadly weapon.

The suspect is currently in jail, awaiting the end of proceedings against him, and facing a sentence of as many as nine years in prison.

It might not have been that way. Under the old system, so much time would have elapsed between the debriefing of the victim and the effort to determine his identity, that Ramos might easily have fled the city before he could be apprehended, members of the Sexual Crimes Unit say. Delays in collecting and securing physical samples on site might also have comprised the case, allowing evidence to disappear or decay, they say.

The success of the case and of many like it has given the Unit an important psychological lift, especially the police. "Since implementing the protocols developed with USAID, police and prosecutors have gotten to know each other, trust each other, and stand shoulder to shoulder," said Mendoza. "That has given the police much more confidence and motivation to take the initiative."