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USAID/MEXICO JUSTICE AND SECURITY PROGRAM QUARTERLY REPORT – APRIL-JUNE 2012

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ACRONYMS

AG	Attorney General
AJCs	Alternative justice centers
AJMs	Alternative justice mechanisms
ANCPC	National Association of Citizen Participation Councils
CEAMPAJ	Executive Commission for Updating and Modernizing the Administration of Justice (Puebla)
CEJA	Justice Studies Center of the Americas
CIDAC	Research Center for Development
CJO	Citizens' Justice Observatory
CJR	Criminal Justice Reform
CONAVIM	National Commission for the Prevention and Eradication of Violence against Women
CPC	Criminal Procedure Code
CPC-PGR	Citizen Participation Council of the Federal Attorney General's Office
CSOs	Civil society organizations
FCPC	Federal Criminal Procedure Code
GoM	Government of Mexico
LoP	Life of the Project
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>)
PD	Public Defender
PIM	Performance Improvement Methodology
PMP	Performance Monitoring Plan
PCU	Property Crimes Unit
PROVICTIMA	The Federal Special Attorney General's Office for Crime Victims' Assistance
PTS	Pre-Trial Services
RENACE	The RENACE Institute, a prominent CSO in the Oral Trials Network
RFTOP	Request for Task Order Proposals
SC	State Court
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
ToT	Train-the-Trainer
UMECA	Pre-Trial Services Unit for Juveniles (Morelos)
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

This report for the third quarter (Q3) of fiscal year (FY) 2012 covers the period of April 1 to June 30, 2012. It presents the achievements of the Justice and Security Program (JASP, or “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: the Performance Monitoring Plan (PMP); a detailed financial report; deliverables completed; training data; articles published by JASP-trained journalists, detailed information on the training impact evaluation; lessons learned from the study tours carried out during the period; presentations on the Human Rights Masters and e-Learning programs; a table of alternative justice centers strengthened and created; and the draft Nuevo Leon Victims’ Assistance Law.

Legislative Achievements

The first fundamental change that needs to take place for effective Criminal Justice Reform (CJR) is 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 JASP, as part of its goal to support comprehensive reform implementation in Mexico, provide technical assistance for the drafting of the appropriate legislative framework at the federal and state levels.

Legislation at the State Level Passed with Program Assistance

In Puebla four bills, Alternative Justice (AJ) Law and proposed reforms to the State Criminal Procedure Code (CPC), Execution of Sanctions Law and Attorney General’s (AG) and State Judiciary Acts (*leyes orgánicas*) were submitted by the Governor’s Office to the State Congress, which then passed them on July 26 signifying a momentous step for the implementation of the New Criminal Justice System (NCJS) in the state.

The JASP also provided technical assistance (TA) for the drafting of Victims’ Assistance Laws in Nuevo Leon and Oaxaca. The draft law in Nuevo Leon was completed by the Executive Committee for the Criminal Justice Reform (SIJUPE, acronym in Spanish) with JASP TA and then submitted by the Governor to State Congress on April 30, 2012. A section outlining the specific characteristics of victims was completed for the draft law in Oaxaca.

Adherence of Legislation to CJR Principles Promoted

The Oral Trials Network (OTN) and the JASP made recommendations on a report submitted by the Morelos Governor’s Office outlining their reform implementation efforts since 2006. Suggestions for improvement included enhancing coordination between the state implementation agency (SETEC, acronym in Spanish) and justice institutions, to better organize reform implementation projects.

With participation from Baja California legislators, the JASP made a series of recommendations in response to reforms proposed in the State Congress to the State CPC, addressing concerns on amendments that would limit plea bargaining, widen the conditions for arrests made *in flagrante*, and expand terms for inspections without warrant, which are against the principles of the reform and international human rights standards.

The United States Agency for International Development (USAID) completed a publication on the progress and challenges in implementing the NCJS in Chihuahua with the purpose of raising

awareness about the state legislative amendments that contradict the 2008 constitutional reform. This publication is expected to be released in September 2012, and will be distributed in public events in Chihuahua and Mexico City.

Program Recommendations for Federal Criminal Procedure Code

The JASP made recommendations on the Federal Criminal Procedure Code (FCPC) Bill to bring it in line with international standards and principles such as transparency of information sharing among authorities, presumption of innocence and guaranteeing fundamental human rights, which were debated by the Justice Committee of the Federal Congress. The FCPC was debated during the congressional sessions that took place between September 2011 and June 2012. However, it did not reach the necessary consensus to be passed. The AG of Mexico has called for an extraordinary session of Congress to discuss the reform of the FCPC, which was referred to the policy coordinating committees of the Senate and House of Representatives. An amended FCPC would signify a big achievement that will position the federal level to lead the implementation of the NCJS.

In addition, the JASP completed a paper to address the concerns of human rights organizations regarding the FCPC Bill, that was shared with the civil society organization (CSO) *Red de Todos los Derechos para Todos* (Network of All Rights for All). This is meant to build the capacity of CSOs to advocate on behalf of the CJR, and to contribute to the development and submission of legislation that is in line with the CJR and international human rights standards.

General Victims' Law Passed

The bill for the General Victims' Law was passed by the Federal Congress during the period. As the law was vetoed on July 1, 2012 by the President there is an ongoing dispute between the Executive and Congress over whether observations made to the law were constitutional, which is to be resolved by the Supreme Court. The JASP has initiated a study to: i) assess the strengths and weaknesses of this law; ii) identify the positive and negative factors of its implementation on state legislation; and iii) develop a technical legislative proposal to harmonize existing state legislation based on its the analysis of the law. Should it be passed, this will be the first national law to recognize the central role of victims in the accusatory system, to be observed by the states.

Legislative "How To" Guide Advanced

Two chapters of USAID's "How To" Guide for Drafting Criminal Procedure Codes - on appeals and procedural principles - were completed during this quarter, bringing the total to eight out of eleven now finished. The remaining chapters address plea bargaining, statements of the accused and preliminary evidence. The "How To" Guide will be completed in Q4.

Institutional Strengthening Achievements

The criminal justice 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: the Federal and state SETECs.

Federal and State SETEC Capacity Built

In collaboration with the Federal SETEC, USAID completed the Report on the study that monitored reform implementation in Chihuahua, the State of Mexico, Morelos, Oaxaca and Zacatecas, and finalized the data gathering phase of the Citizen Perception Survey. Furthermore, in the updating and expansion of its training curriculum, the Federal SETEC incorporated seven modules of USAID's training program, for its advanced training program for judges, prosecutors and public defenders.

Institutions Strengthened via the Program Performance Improvement Methodology

USAID strengthened the capacity of justice institutions to implement the reform, through the application of its performance improvement methodologies in the AG offices of Baja California, Chihuahua and Oaxaca, in the PD offices of Baja California, Chihuahua, Morelos and Nuevo Leon, and in the State Courts of Baja California, Nuevo Leon and Oaxaca.

The Oaxaca AG Office, Chihuahua and Nuevo Leon PD offices, and Baja California and Nuevo Leon state courts are in the first phase of implementation, meaning that they are in the process of conducting preliminary evaluations of their institutions, while the AG offices of Baja California and Chihuahua, the PD offices of Baja California and Morelos and State Court of Oaxaca have completed the second stage, that is that the evaluations have been completed, internal committees have been established to monitor the implementation of the methodology, and those committees are developing performance standards for their offices.

Presumption of Innocence to be Strengthened through Pre-Trial Services (PTS) Units for Adults in Baja California and Morelos

In preparation of the upcoming launches of PTS units for adults, the JASP focused this quarter in Baja California on ensuring the unit is adequately equipped with tools to carry out such services and that the officials that operate within or in collaboration with the unit are able to use them, alongside the Secretary of Public Safety (SSP) and PTS Sub-Committee. USAID and the SSP also made adjustments to the unit's operational manual and protocols for conducting flight risk evaluations and finalizing the amendments to the internal guidelines of the SSP to accommodate for PTS.

In Morelos, JASP TA has focused on both the human resources and on the operational elements to prepare the new PTS Unit for adults for its August 2012 opening. With Program assistance, over 100 potential staff for the new unit went through security clearance checks, an entrance exam was created, and job and competency profiles for the selection and evaluation of future staff were also developed. The JASP also completed templates for the flight risk interview and flight risk evaluation, to be employed by the upcoming unit.

Investigations Improved through Protocols for Prosecutor and Police Coordination

The Program's coordination protocols for prosecutors and investigative police have proven to be a critical tool in facilitating the effective cooperation and communication between the police and prosecutors during criminal investigations and bringing them in line with their new roles under the accusatory system. These protocols are already in operation in the Sexual Crimes Unit of the Baja California AG Office. Before investigative units begin utilizing the protocols, guidelines tailored specifically to the unit are developed with intense Program TA. During the quarter, 24 of the 26 guidelines tailored to the Property Crimes Unit (PCU) in Baja California were developed, relating to conducting investigations of fraud, investigating extortion via telephone, issuing warrants and inspecting private property. In Oaxaca, the JASP determined the 20 guidelines to be developed and tailored to the Juchitan AG Office to support the implementation of the protocols. In Nuevo Leon, the JASP and the Family Justice Center, which is a unit within the AG Office, also began the development of a work plan and training program for the implementation of the coordination

protocols.

Alternative Justice Centers Created and Strengthened

This quarter, in Baja California, Chihuahua, Hidalgo and Oaxaca, 27 alternative justice centers and their regional offices received Program assistance, while four new centers were created in Oaxaca. This TA involved study tours, center assessments, the development of performance monitoring indicators and workshops on restorative justice and crisis intervention. The average number of cases resolved monthly by alternative justice mechanisms (AJMs) in these states during the period was 603, a considerable increase from 326 cases in December 2010.

Capacity Built for Justice Sector Officials through Study Tours in Mexico and Abroad

The Program hosted six study tours during the quarter, with five abroad and one within Mexico. The national tour involved a visit for officials from the Oaxaca State SETEC, Judiciary, AG Office and PD Office to Nuevo Leon. The international tours included two to Chile, for judges and for court administrators, two to the United States, for investigative police, prosecutors and forensic experts and for justice officials working on women's rights and assistance; and one to Colombia, for victims' assistance center staff and CSO representatives. A total of 141 participants from Baja California, Chihuahua, Durango, Hidalgo, Mexico City, Morelos, Nuevo Leon, Oaxaca and Puebla took part in the study tours.

Capacity Built for Justice Sector Officials through Program Trainings

In total, **954 justice sector officials** (373 women and 581 men) were trained in Q3. This included judges, prosecutors, public defenders, investigative police, mediators, victims' assistance center staff, forensic experts and court clerks. During the period, 788 justice officials took pre- and post-training exams to measure their knowledge gained. The average grade among justice sector officials in pre-training evaluations was 6.3, while the average grade for post-training tests was 8.9. In other words, on average the grades of trainees improved by 2.6 points, or 41%. 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. Importantly, only those individuals who attended at least 80% of their training courses were counted in these figures.

Impact and Effectiveness of JASP Trainings Ensured

The JASP is ensuring the effectiveness of its trainings through an evaluation to measure the impact and effectiveness of its trainings, the pilot of which was completed during the quarter. This involved the analysis of 108 electronic surveys randomly distributed to program trainees in Baja California and Oaxaca, as well as interviews with focus groups of mediators and beneficiaries in Oaxaca, and of judges, prosecutors, public defenders and investigative police in Baja California. The evaluation found that Program trainees are acquiring knowledge and learning new skills, which they regularly use on the job in their new roles under the adversarial system, and that their changed behaviors can be attributed to Program trainings. Resulting recommendations included to develop during the training design phase specific learning objectives related to ideal behavior changes, to develop valid control groups when feasible and to commit trainees to provide follow-up information for conducting such evaluations.

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 CSO's 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 JASP supports civil society as part of its overall strategy of fostering comprehensive CJR implementation at the state and federal levels.

Fourth National Forum on Justice and Security Raises Awareness on Reform Implementation

The JASP, with the Oral Trials Network, co-organized the Fourth National Forum on Justice and Security, which involved the participation of President Felipe Calderon, three candidates to succeed him, the Attorney General, and various other prominent individuals from the government and civil society. The Forum also featured in particular the participation of presidential candidate Enrique Peña Nieto - now candidate elect - who stated that he will implement the reform nation-wide and will earmark funds for the modernization of each stage of the process, and underscored his experiences as Governor of the State of Mexico, one of the three states that have fully implemented the CJR. He also stated his position in favor of maintaining the AG Office within the executive branch of government. The event was a monumental and successful opportunity for mapping progress on the reform, and engaging and informing a large audience of 450 participants and an additional 546 via an online stream. Participants completed 262 surveys with their feedback and observations on the event, which ranged from more general reflections – such as “this gave a good, general panorama of the gradualness of implementation of the reform and the obstacles and successes thus far” – to more specific observations, such as “it was a good proposal to support and empower the PD Office, as it is an essential part of the justice system that had been left behind, and quality defense services must be provided.”

National Media Campaign on the NCJS Launched and Disseminated

During the quarter, the national media campaign to support the reform was launched with the dissemination via YouTube, Facebook and Twitter of six videos that communicate key reform principles. The website’s videos have reached over 20,000 views on YouTube, and the site itself has had over 3,000 visitors, with 89% coming from Mexico and 5% from the United States. This has been possible by promotion via the Program Twitter account, as well as the Twitter and Facebook accounts of key counterparts such as the Research Center for Development (CIDAC, acronym in Spanish) and the prominent national blog *Animal Político* (Political Animal). The website also hosts key reform information on the national and state level, and a platform for sending tweets and questions to policy makers on the reform.

Principles of the Criminal Justice Reform Promoted by CSOs

The Citizens’ Justice Observatory (CJO) of Nuevo Leon - the watchdog group composed of more than 20 CSOs established with Program assistance - launched its website – www.ocj.org.mx - to communicate the group’s objectives and activities as well as information for the general public on the principles and advantages of the reform. It also began performance evaluations of the State PD and AG offices, taking into consideration studies carried out by the Federal SETEC and Justice Studies Center of the Americas (CEJA, acronym in Spanish). The main findings of these evaluations will be available at the end of July 2012.

The Chihuahua Restorative Justice Network - a group composed of eight CSOs and individuals from the academic community formed with Program TA and training - carried out its inaugural session during the quarter, and initiated the development of its protocols and strategies for handling alternative justice cases.¹

¹ CSOs do not have a legal mandate to perform as mediators, but can serve as facilitators and help resolve community conflicts. However, the agreements reached with their assistance are not legally binding

The JASP strengthened the capabilities of CSOs to advocate for adequate reform legislation, via TA to the CSO *la Red de Todos los Derechos para Todos* (“Network for All Rights for All”), which enabled the organization to produce a list of key recommendations on human rights aspects that need to be considered in the FCPC Bill.

Citizen Participation Promoted

With JASP assistance, the Citizen’s Participation Council of the Attorney General’s Office (CPC-PGR, acronym in Spanish) completed during Q3 the implementation of four projects that promote citizen involvement in denouncing crime and corruption, and promoting the principles of the reform. The projects and their achievements include:

- *Formando Líderes Ciudadanos: Strengthening Community Leaders*
 - During the life of the project (LoP), twenty such trainings were carried out as part of the project for 3,072 individuals in 20 states, which have led 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*
 - During the LoP, four awareness raising events were conducted since the launch of the call center, and 8,322 surveys were administered. Among the results of these surveys, a notable 71% of respondents found that the services provided at the AG Office were good or excellent.
- *Ciudad Posible Sí: A culture of mediation and justice for public schools in Ciudad Juarez.*
 - During the LoP, as the 66 teachers developed projects with 30 students each, the project directly benefited 1,980 individuals.
- *Narrar para Convivir: Telling Stories to Coexist*
 - During the LoP, the capacity of 120 teachers in Oaxaca was built through CPC-PGR trainings, who then developed creative projects, such as plays, poetry and stories, on the reform within their schools for approximately 6,000 students and exhibited them to approximately 500 parents and to their communities at large.

The grant of the National Association of Civic Participation Councils (ANCPC, acronym in Spanish) was also closed this quarter. The ANCPC carried out activities in all seven target states to engage CSOs in the promotion of the reform. As part of the grant, 20 Social Dialogues and 13 Security Dialogues were conducted, with at least one in each target state. Social dialogues are forums in which the Stakeholder Group CSOs discuss local concerns and issues that they want to address with local authorities. The results of the Social Dialogues are then brought for discussion to the “Security Dialogues,” with the key characteristic being the participation of local authorities. The ANCPC also conducted trainings on mediation (one), strategic planning (one), teamwork (one) and fundraising (13) for CSOs, building the capacity of a total 316 representatives from 160 organizations.

Deliverables Completed by Grantee Projects

During Q3, 15 CSOs,³ working primarily in Chihuahua and the Federal District, but also in

² These states include Aguascalientes, Baja California, Baja California Sur, Campeche, Chihuahua, Coahuila, Durango, the Federal District, Guerrero, Hidalgo, Jalisco, State of Mexico, Morelos, Nuevo Leon, Oaxaca, Puebla, Queretaro, Tlaxcala, Veracruz and Zacatecas

³ 1. *Arte en el Parque* (Art in the Park) 2. *Asociación para el Desarrollo Integral* (Association for Comprehensive Development) 3. *Centro Humano de Liderazgo* (Center for Leadership) 4. *Crecimiento Humano y Educación para la Paz* (Human Growth and Education for Peace) 5. *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos* (Mexican Commission on the Protection and Promotion of Human Rights) 6. *Consejo para el Desarrollo*

Chiapas, Nuevo Leon and Quintana Roo, completed the deliverables to which they committed in their grant agreements. Among their achievements includes the production of a guide on the CJR and human rights for civil society, the training of justice officials on the prevention of torture, awareness raising events on trafficking in persons, the training of CSOs to promote community development and social cohesion, and the formation of women's rights networks.

Civil Society Organizations' Capacity f Built

In Q3, USAID trained **1,091 representatives of civil society organizations (CSOs)** (553 women, 538 men), of which 699 were tested on knowledge gained through pre- and post-training exams. The grades of 55.8% of trainees increased on the post-test. Their average grades increased from 4.3 on the pre-test to 8.1 on the post-test (on a ten-point scale), an average increase of 86%.

As a testament to the quality of JASP trainings on fundraising, seven Program-trained CSOs obtained approximately US \$470,000 from various national and international organizations during the quarter, which will be used to promote the reform and its principles among the general public.

Articles on the CJR Published by Program Trained Journalists

During the quarter, 54 journalists from Baja California, Morelos, Oaxaca and Puebla were trained on how to report under the NCJS. The JASP taught them how to report on crime, violence, public security and criminal justice, while respecting the principles of the NCJS. Since their training, these journalists have produced 19 articles (three in Baja California, seven in Morelos, three in Oaxaca and 16 in Puebla) that comply with the Program's scorecard to ensure their upholding of the principles of the reform.

Performance Monitoring Plan

By the close of Q3, the JASP performance goals have been exceeded for 12 of the 16 indicators established in the approved PMP. These include: the number of judicial districts with the CJR implemented (Indicator 1); the number of draft laws accompanied by technical analysis and subject to review by legislative committees receiving Program assistance (Indicator 2); the number of state SETECs trained in project development and management (Indicator 4); the number of justice sector institutions implementing institutional strengthening plans with Program assistance (Indicator 5); the percentage change in the number of cases resolved through conciliation, mediation, and/or restorative justice (Indicator 6); the percentage of adolescents complying with precautionary measures other than pre-trial detention (Indicator 7); the number of women's justice centers receiving Program assistance (Indicator 9); the number of justice sector personnel trained (Indicator 11); the percentage of justice sector trainees who demonstrate increased knowledge (Indicator 12); the number trainings replicated by Program-assisted trainers (Indicator 13); the number of USG assisted civil society organizations that engage in advocacy and watchdog functions (Indicator 14); and the percentage of CSO trainees who demonstrate increased knowledge post-training (Indicator 15).

Social de Ciudad Juárez (Social Development Council of Ciudad Juarez) 7. *Fondo para Niños* (Children's Fund) 8. *Fondo Unido* (United Fund) 9. *Fundación Casa Alianza* (Home Alliance Foundation) 10. *Fundación Infancia* (Childhood Foundation) 11. *Organización Popular Independiente* (Independent Popular Organization) 12. *Red Mesa de Mujeres* (Women's Roundtable Network) 13. *Universidad Iberoamericana* (Iberoamericana University) 14. *Universidad Tecnológica de Cancún* (Technological University of Cancun) 15. *Via Educación* (The Route to Education)

As such, four indicators are due to be fulfilled in the coming months during the Program's no-cost extension period (July – December 2012). These indicators include: the number of laws passed with Program assistance (Indicator 3, which is out of Program control, but was indeed fulfilled in July 2012); the number of justice sector institutions that have adopted training plans with Program assistance (Indicator 8, with 45% achieved); the number of victims' assistance centers receiving Program assistance (Indicator 10, with 66% achieved); and the number of stories published, posted or broadcast by Program-trained journalists which reflect information acquired through Program assistance (Indicator 16, with 88.5% achieved).

An additional indicator on the number of USG-assisted courts with improved case management systems was added at the request of the Mission during the quarter.

RESULTS ACHIEVED BY OBJECTIVE AND TASK

Objective I: Results Achieved

Under Objective One, the JASP advanced on several expected results outlined in its work plan for FY2012. This included, under Task 1.1, completing an entire primary and secondary legislative packet for Puebla (amendments to the State CPC, AG Office and Judiciary Acts (*leyes orgánicas*), Preventive Measures and Execution of Sanctions Law, and a draft Alternative Justice Law) and providing TA for the drafting of the Victims' Assistance Laws in Oaxaca and Nuevo Leon.. Under Task 1.2, the Program made a series of recommendations to the Federal Congress to bring the CPC in line with human rights standards; produced an analysis of the changes to the CPC by the state Congress in Baja California; and completed a study on the successes and challenges of implementing the new system in Chihuahua with the purpose of raising awareness about the state legislative amendments that contradict the 2008 constitutional reform.

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

This quarter, the JASP focused on providing assistance for the drafting and analysis of seven laws: five in Puebla, and one in both Oaxaca and Nuevo Leon. Four of the Puebla laws were submitted to state legislature at the end of Q3 and were passed by the State Congress by the closing of this report.

Legislation in Puebla Passed with Program Assistance

The state implementation agency (CEAMPAJ, acronym in Spanish), State Judiciary, and AG and PD offices finalized the draft Alternative Justice Law and proposed reforms to the State CPC, Execution of Sanctions Law and AG and State Judiciary Acts (*leyes orgánicas*) with JASP TA, which were passed by the Puebla State Congress on July 26, 2012.⁴ These institutions also worked towards the harmonization of the draft state victims' assistance law with the General Victims' Law, which was recently passed by the legislature, and has a significantly broader scope that covers not only victims of crime but victims of human rights violations as well. Modifications included the addition of provisions on equality, non-discrimination and reparations. Unfortunately, by the closing of this report the law was vetoed by the President, and there is an ongoing dispute between the Executive and Congress over whether observations made to the law were constitutional, which is to be resolved by the Supreme Court.

Victims' Assistance Legislation Drafted in Oaxaca

In Oaxaca, the sixth and final section of the draft State Victims' Assistance Law was completed, as the result of JASP TA to the Special AG Office for Victims' Assistance, Restorative Justice and Community Services. This section outlines that victims' services must acknowledge the specific characteristics of the victim, whether it be age, gender, ethnic group or otherwise, and thus provide assistance according to the individual's specific needs. The draft law was submitted to the State AG Office for their review. Victims' assistance is a priority under the new system, as under the old inquisitorial system, very few opportunities existed for victims of crime to be taken into account.

⁴ The passage of the law and reforms is mentioned for its significance, but not counted in the PMP as this took place outside the reporting period

Victims' Assistance Legislation Drafted in Nuevo Leon

The SIJUPE completed its draft of the State Victims' Assistance Law after continuous JASP legislative assistance, and submitted it to the State Congress (see Annex XIV). The draft law, which contains seven sections and 92 articles, addresses fundamental issues for ensuring victims' rights and adequate assistance, such as the treatment of victims during criminal proceedings and the role of the state in ensuring their protection. The passage of this law will be key for establishing the legal framework necessary for the proper functioning of the reform and ensuring the rights guaranteed within it.

Legislative "How To" Guides Advanced

In Q3, USAID completed two additional chapters of its "How To" Guide for Drafting Criminal Procedure Codes. The eighth chapter, which is on appeals, addresses elements such as nullification of a judicial decision by a higher court and precautionary measures. The ninth chapter refers to plea bargaining in 14 states, six of which have received JASP TA in drafting their CPCs (Baja California, Durango, Hidalgo, Nuevo Leon and Puebla), addressing for example the role of public defenders and the judiciary. In Q4 the JASP will complete two final chapters, on statements of the accused and preliminary evidence. The guide will serve as a critical resource for legislators and policy makers in line with the constitutional amendments and international standards in states that have not yet developed the legal framework necessary for proper reform implementation.

General Victims' Assistance Law Passed

The bill for the General Victims' Law was passed by the Federal Congress during the period. As the law was vetoed on July 1, 2012 by the President there is an ongoing dispute between the Executive and Congress over whether observations made on the law were constitutional, which is to be resolved by the Supreme Court. USAID has initiated a study to i) assess the strengths and weaknesses of this law; ii) identify the positive and negative factors of its implementation on state legislation; and iii) develop a technical legislative proposal to harmonize existing state legislation based on its the analysis of the law. Should it be passed, this will be the first federal law to recognize the centrality of victims and incorporate their rights into the national legal framework, which in turn must be observed by the states.

USAID also initiated a comprehensive analysis to evaluate what implications it will have for state victims' assistance laws and draft laws, and for future JASP assistance for drafting such laws, in particular in Nuevo Leon and Puebla. The key distinction is that state victims' assistance laws have traditionally focused on victims of crime, while the new federal law broadens the scope to victims of human rights violations in general. This analysis is essential for ensuring the JASP's high-quality and up-to-date technical assistance for the protection and support of victims.

Program Recommendations for Federal Criminal Procedure Code

In a further step towards implementation of the reform, the Federal AG of Mexico called for an extraordinary session of Congress to discuss the reform of the FCPC. The request was approved during the 27th assembly of the Justice Administrators then formally referred to the policy coordinating committees of both the lower and upper houses of the legislature. Should this extraordinary session take place and the Code be passed, it would represent important federal action towards implementation of the NCJS.

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

Under Task 1.2, the Program worked with Baja California representatives to ensure reform principles continue to be upheld in state legislation. Additionally, it made a series of recommendations on prevention of reform backpedaling and came together with civil society to work with the Federal Congress on the improvement and eventual passage of the FCPC. .

Reform Principles Asserted in Baja California

The Program made a series of recommendations in response to reforms proposed in the State Congress to the State CPC, addressing concerns on changes that would limit plea bargaining, widen the conditions for arrests made *in flagrante*, and expand terms for inspections without warrant, going against the principles of the reform and international human rights standards. These recommendations and other such efforts are key to preventing backpedaling on the many successes in Baja California in reform implementation.

The Program also presented its inputs, in particular its successes in collaborating with authorities in Mexicali where the accusatory system is in effect, during an inter-institutional roundtable session convened by the State Congress and attended by the Governor's Office, the SETEC, AG and PD offices. The session addressed proposals being discussed in the State Congress to delay the entry into force of the new system in Ensenada from May 2012 to August 2014 and in Tecate, Tijuana and Playas de Rosarito to August 2015.

Chihuahua Reforms Evaluated

The Program completed drafting the content of its publication on the progress and challenges in implementing the NCJS in Chihuahua. The document addresses the importance of the case of Chihuahua, as it was the first state in the country to fully implement the reform in 2008, before the constitutional amendment, and provides an analysis of legislative reforms since. It is divided into five chapters, which address the case of Chihuahua with an international human rights perspective, the laws that regulate detention, preventative prison and other precautionary measures, changes to the role of the judge, and the principle of contradiction. The study finds that reforms in the state have gone against the international human rights principle of non-retrogression, with respect to rules introduced on the detention of individuals, pre-trial detention, due process and in particular regarding the principle of contradiction, as judges have been permitted to consider evidence not presented in hearings. This publication, of which 2,000 copies will be printed and disseminated in September 2012 to CSOs, universities, lawyers and justice officials, will be a critical step to raise awareness and preventing backpedaling on the successes in Chihuahua in reform implementation.

Human Rights Protection as part of the Criminal Justice Reform and in Federal Criminal Procedure Code Promoted

The JASP made a series of recommendations on the FCPC Bill to bring it in line with international standards, such as the obligation of transparency of information sharing among authorities and the adjustment of exclusionary rules which were debated by the Justice Committee of the Federal Congress. Furthermore, the Program completed two papers on human rights and the reform during the quarter. The first discussed how the NCJS in Mexico contributes to and respects national and international human rights standards. It focused on the key principles of the CJR that ensure human rights, including due process, transparency, the presumption of innocence, and the nullification of evidence obtained by torture or other human rights abuses. The second paper analyzes the concerns of human rights organizations regarding the FCPC Bill, which was shared with the CSO Red de Todos los Derechos para Todos (Network of All Rights for All) to build its capacity to better

advocate for key federal legislation on the CJR.

Challenges and Opportunities

Task 1.1

At the federal level, the Government has failed to foster a solid relationship with civil society and thus create a bridge between them (not only the Oral Trials Network) and the executive and legislative branches. To address this problem, seminars and study tours on the principles and implementation of the NCJS should be carried out for CSOs.

In Nuevo Leon the State Judiciary, PD and AG Acts (*leyes orgánicas*) must be coherent with the accusatorial system, for which the JASP must offer intensive TA.

In Puebla, TA has been provided for the drafting and reform of state legislation, with the challenge now being their passing by State Congress.

Task 1.2

In Baja California, there are conflicting opinions on the reform, which has weakened collaboration between justice institutions in its implementation, and a newly appointed State SETEC head does not have the experience and interest in the reform of his predecessor. In this regard, it is necessary to increase understanding of the benefits of the reform and engage with civil society in doing so.

A Tool Kit for Reform: How USAID is Helping States Bring Best Practices to their Justice Reforms

A couple of years ago, Luis Francisco Fierro was sitting at a borrowed desk in a spare corner of the state of Puebla's Interior Ministry with a computer that he says had more viruses than a ward of influenza patients.

Worse still, he had nobody to provide technical assistance and no budget for the task with which he was charged: to draw up the Mexican state's criminal code as part of its transition from a closed, inquisitorial justice system to a new, and more open adversarial system.

The new criminal procedure code (CPC), which each state must design, approve and implement by 2016, is fundamental to the new system because it lays out the procedures that must be followed for different cases, and it spells out what actions to take and how to take them.

Mr. Fierro's predicament in Puebla was similar to that of at least two other Mexican states, Nuevo Leon and Hidalgo, which were trying to draw up key legislation to make the transition to the new system successful.

"It was just me, a lawyer and no budget," recalls Mr. Fierro, who at that time headed the CEAMPAJ, an agency in Puebla tasked with modernizing the justice system. "It was tough."

Today, and thanks to significant technical assistance provided by USAID, he and other government officials in all three states have overcome those seemingly insurmountable problems.

In the case of Puebla, Mr. Fierro and other state officials have used USAID's technical assistance as a legislative compass, helping them to amend his initial efforts on the criminal code. They have also drawn up supporting legislation to equip and restructure all of the bodies involved in the judicial system, including the Attorney General's Office, the courts and the Public Defenders' Office.

"Thanks to USAID's expertise, guidance and suggestions, we now have a modern, workable package," he says. The State Congress passed the package in July 2012, for its entry into force in January 2013.



In Nuevo Leon, former judges, defense attorneys and other experts working for USAID helped officials gain a clear understanding of the principles behind the adversarial system and write into legislation some of its most essential components.

Members of Nuevo Leon's legal institutions, for example, were divided over the issue of conditional liberty for criminal suspects. The mere idea of granting bail rubbed against long-held traditions of keeping every suspect in jail. But experts from USAID presented case studies from numerous countries to convince skeptical authorities that provisional liberty and alternative forms of justice for some could ease prison overcrowding and the caseload before judges, allowing them to concentrate on the most serious crimes.

USAID conducted workshops, and shared best practices and lessons learned in other states to familiarize those people drafting the new CPC in Nuevo Leon with the new tools. "Officials came away with an understanding that not every suspect has to be in jail," says Catarino García, the director general of the Executive Commission for the Reform of the Criminal Justice System of the State of Nuevo Leon (SIJUPE, acronym in Spanish). "They shed long-standing cultural prejudices and came to realize that judges could have new powers that would ease the pressure on the system."

Officials in all three states say that the assistance and training provided by USAID has not only helped them draw up better legislation. It has also left them with a legislative compass and scorecards, which include provisions and concepts that CPCs and other secondary legislation should comply with to be of the highest quality possible. This will serve them long into the future and enable them to continue working on their own.

In the state of Hidalgo, officials tasked with designing new justice legislation started to work with USAID from the outset. Justice Mario Pfeiffer, an appeals court judge, recalls that he and other officials from a wide range of state bodies worked for more than two months with USAID experts, who meticulously walked them through the experiences of other states, helping them to select the best provisions of CPCs from each.

"It was invaluable," he says. "We knew the old system inside and out. But when it came to drafting a criminal code based on the adversarial system, it was like driving at night without headlights."

USAID's guidance helped local officials to tailor vital aspects of the appeals process, in particular giving appeals judges the ability to scrutinize certain aspects of a trial rather than review the whole thing. That, in turn, allows them to send the cases back to the lower court for a final ruling made out in the open, rather than behind closed doors.



The effect, argues Justice Pfeiffer, substantially lightens the workload of appeals-court judges. Moreover, it ensures transparency by keeping as much of the legal process in the public domain as possible.

"USAID helped us to create a much more open system," says Justice Pfeiffer. "Hidalgo now has a third-generation legislation, which is respectful of both victim and defendant."

Officials in all three states said that had been their goal all along. They just didn't know exactly how to get there and convince those still in doubt. "USAID expertise helped us clarify many things that we still weren't able to understand," said García in Nuevo Leon. "They reduced resistance to the new system and showed us the way forward."

"Thanks to USAID's expertise, guidance and suggestions, we now have a modern, workable package," he says.

Objective 2: Results Achieved

In Q3 of FY2012, the Program had a number of significant accomplishments in meeting the goals established in the work plan. These included achievements in the seven target states related to: the completion of the Report on the study that monitored the reform implementation in Chihuahua, State of Mexico, Morelos, Oaxaca and Zacatecas; the undertaking of the implementation of the PIM in state courts, AG and PD offices; increasing the effectiveness of the Sexual Crimes Unit in Baja California as a result of the implementation and continuous TA for improving coordination between police and prosecutors; undertaking the implementation of the coordination protocols for prosecutors and police investigators in, Nuevo Leon and Oaxaca; the completion of flight risk evaluation tools in preparation for establishing PTS units for adults in Baja California and Morelos; the establishment of a communities of practice in judicial and public defense education for heads of training institutions; the institutional strengthening of 27 AJCs in Baja California, Chihuahua, Hidalgo and Oaxaca; increasing the knowledge and skills of 93.9% of justice sector trainees as demonstrated in pre - and post-training tests; and completing a pilot for a trainings impact evaluation in Baja California and Oaxaca, which found that Program-trainees are acquiring knowledge and learning new skills, which they regularly use on the job in the new roles under the adversarial system, and that their changed behaviors can be attributed to USAID trainings. Details on these and other achievements are included below.

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

USAID and Federal SETEC Combine Forces to Implement the Criminal Justice Reform in Mexico

Field Study that Monitored Implementation of the Reform Completed

Throughout the quarter, the Program collaborated with the Federal SETEC on various issues related to reform implementation. The SETEC agreed to co-edit and endorse the General Report that monitored reform implementation in Chihuahua, the State of Mexico, Morelos, Oaxaca and Zacatecas (the five states that had implemented the reform for over a year). The executive summary has been sent for design and will be published and distributed with SETEC participation in Q4. The report will serve as a key resource for the Federal SETEC and state governments to take further ownership of implementation by addressing the issues and recommendations included within.

Citizen Perception Survey – Data Gathering Completed

The JASP and the Federal SETEC completed the data-gathering stage for all 32 states and at the national level for its Citizen Perception Survey. The JASP and the SETEC will conduct in Q4 the focus group stage of the survey, which overall will provide pivotal information on the general perception of the reform's achievements to date, serving as an invaluable baseline for comparison as implementation progresses.

PASJ-SETEC Cooperation Strengthened for High-Quality and Effective Training of Justice Officials

During the period the Federal SETEC made significant improvements to its training curriculum for justice officials, adopting the JASP structure for an additional seven specialized modules to complement their training curriculum for justice officials. The curriculum is currently composed of four initial modules on the NCJS for judges, prosecutors, public defenders, police investigators and

mediators, while the additional seven advanced modules that were adopted are to be applied for judges, prosecutors and public defenders. The SETEC also agreed to provide feedback and dissemination plans for the JASP-developed coordination protocols for prosecutors and police investigators, while the JASP agreed to provide comments on SETEC training programs.

State SETEC Reform Implementation Projects Receive Federal Funding

USAID in Q2 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, the state SETECs in all seven tier-one states joined efforts with justice sector institutions to develop in total 63 projects worth approximately US \$30 million. In Q3, the state SETECs received the following funds:

SETEC Grants to Tier One States			
State	Number of Projects	Actual Funds Received (MXN)	Funds Received in USD (appx)
Baja California	4	97,859,477.10	7,414,000
Chihuahua	10	59,714,772.85	4,524,000
Hidalgo	9	73,061,828.97	5,535,000
Morelos	11	35,524,675.94	2,691,000
Nuevo León	4	60,661,541.28	4,596,000
Oaxaca	7	31,358,444.12	2,376,000
Puebla	15	36,852,720.00	2,791,000
Total	60	MXN 395,033,460.26	USD 29,927,000

Source: Technical Secretariats in Tier 1 states and SETEC public files.

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

All target states

Communities of Practice in Judicial and Public Defender Education Established

The JASP strengthened two communities of practice, for the education of public defenders and justices. For the two groups, both composed of heads of public defender and judicial training institutes from all seven target states, the JASP completed two collaborative technical assistance sessions which involved a participatory training needs assessment, and the development of corresponding action plans to be independently applied by the participants in their own institutes. This inter-active planning process, uniting key actors from the priority states, will be instrumental in increasing the capacity of judiciary and public defender training institutes to effectively educate their staff, creating a community of practice that can build education programs that meet their needs.

Alternative Justice Centers Strengthened

USAID carried out various activities towards strengthening AJCs. In total, 27 AJCs were

strengthened and four created (all in Oaxaca) this quarter through Program TA and trainings. For a detailed list of centers strengthened, please refer to Annex XI.

Alternative Justice Centers Strengthened and Created April – June 2012

State	# Centers	Technical Assistance	Specialized training
Baja California	12		<ul style="list-style-type: none"> • Workshop on first response and crisis intervention • General training program for mediators • National Seminar on Mediation
Chihuahua	1	<ul style="list-style-type: none"> • Assessment of the Center conducted • Performance strengthening plan developed 	<ul style="list-style-type: none"> • General training program for mediators
Hidalgo	3	<ul style="list-style-type: none"> • Assessment of the Center conducted 	<ul style="list-style-type: none"> • Workshop on first response and crisis intervention
Nuevo Leon	1		<ul style="list-style-type: none"> • General training program for mediators
Oaxaca	14	<ul style="list-style-type: none"> • Four centers created 	<ul style="list-style-type: none"> • Workshop on restorative justice for mediators • Workshop on first response and crisis intervention • First International Congress on Alternative Justice for Juveniles • Study tour to the Early Assistance Unit in Baja California

Based on the baseline established in April 2011, the states that continue to be the main beneficiaries of the Program's TA to build capacity (Baja California, Chihuahua, Hidalgo and Oaxaca) have shown steady progress in resolving cases through AJMs. On average, in the states where the Program has provided assistance, there has been an 85% increase in the number of cases resolved through AJMs (between December 2010 and June 2012). As of June 2012, the status was as follows:

Percentage Change in Cases Resolved through Alternative Justice Mechanisms

Comparison: Monthly Averages per Quarter

State	Q4 2009 & Q1 2010	Q2 2011	Q3 2011	Q4 2011	Q1 2012	Q2 2012	Q3 2012
	Jul 2009 - Dec 2010	Jan - Mar 2011	Apr - Jun 2011	Jul - Sep 2011	Oct - Dec 2011	Jan - Mar 2012	Apr - Jun 2012
Baja California	315	769	966	965	1053	1344	1415
Chihuahua	NA	540	580	514	437	651	726
Hidalgo	512	235	290	246	191	210	185
Oaxaca	153	93	92	103	86	70	87
Average	326	409	482	457	442	569	603

Sources:

Baja California: State System of Alternative Justice

Chihuahua: Chihuahua Alternative Justice Center

Hidalgo: Hidalgo Alternative Justice Center

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

Further information on assistance to state AJCs can be found in the state sections immediately below.

Baja California

The Program presented its inputs during a critical inter-institutional roundtable session convened by the State Congress with the participation of the Governor's Office, the SETEC, AG Office and PD Office in April. During this session the State Congress decided to postpone the entry into force of the new accusatory system in Ensenada from May 2012 to August 2014 and in Tecate, Tijuana and Playas de Rosarito until August 2015.

Institutions Strengthened via the Performance Improvement Methodology

The Program began ensuring sustainable reform implementation through the introduction of the PIM in the Baja California State Court, AG and PD offices. Regarding the latter office, USAID presented the findings of a preliminary assessment on the management of public defense services to the internal committee charged with supervising implementation of the PIM. This committee has also begun developing the standards for quality defense services. The committee will use the findings as a basis to develop a comprehensive proposal of public defense standards prior to the implementation of the third stage of the methodology.

Through initiating implementation of the PIM, the JASP and the State Court produced a set of information tables that will serve as the basis for the court's internal system of caseload management, and developed consistent and clear definitions of data elements for its case tracking database. The court will monitor caseload management performance through monthly reports in consultation with an inter-institutional working group, and overseen by an internal committee.

The Program assessed progress of the AG Office's internal committee charged with implementation of the PIM, observing that the recommendations made previously by USAID have been adopted. The JASP conducted interviews with key directors and staff to assess the registry of cases, attendance at preliminary hearings and more. The JASP also completed a diagnostic that identified the institution's strengths and needs. Positive findings included: i) a strong commitment to implement the accusatorial system by the management; ii) a well-developed information technology systems within the AG Office; and iii) the implementation of the JASP coordination protocols for police investigators and prosecutors. Areas identified for improvement included: i) weak communication within the AG Office; ii) inadequately defined roles for AG Office staff; and iii) the AG Office's need for a case referral system.

Investigations Improved through USAID Protocols for Prosecutor and Police Coordination

During the quarter, the State AG Office, with JASP TA, completed 24 of the 26 guidelines tailored to the Property Crimes Unit (PCU) to support the implementation of the coordination protocols for prosecutors and police investigators. These guidelines relate to Unit-specific issues such as conducting investigations of fraud, investigating extortion via telephone, issuing warrants and inspecting private property. The Program also reviewed and fine-tuned the guidelines thus far developed with officials from the PCU to ensure their practicality and consistency with the day-to-day work and needs of the unit. The guidelines are essential for implementation of the coordination protocols, which have proven to be a critical tool in facilitating the effective cooperation and communication between the police and prosecutors during criminal investigations and bringing them in line with their new roles under the accusatory justice system.

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

The JASP carried out various activities with the SSP and PTS Sub-Committee throughout the quarter in preparation for the opening of the PTS Unit for adults, focusing primarily on ensuring the unit is adequately equipped with tools to carry out such services and that the officials that operate within or in collaboration with the unit are able to use them. The JASP conducted a five-week series of TA sessions for the SSP on the use of these tools, which include an interview template for flight risk evaluations, a tool for determining the flight risk, and a questionnaire for reporting the resulting opinion. The JASP and the SSP tested these tools via their mock application to actual cases in the State AG Office, and made changes to address lack of clarity in the wording of the tools, their layout and presentation, and revisions to better take into consideration the risks for victims and cases in which there are insufficient means for verifying information received from the interviewee. The Program also carried out trainings for ten judges, five prosecutors, five public defenders and thirteen staff of the upcoming unit that focused on PTS in general and on the use of the various tools.

Furthermore, the PTS Sub-Committee and SSP, with JASP TA, made adjustments to the operational manual and protocols for conducting flight risk evaluations and finalizing the amendments to the internal guidelines of the SSP to accommodate for PTS.

Alternative Justice Center Strengthened In Baja California, 12 local centers of the State System for Alternative Justice (SEJAP, acronym in Spanish) were strengthened this quarter, via two training courses (a general training program and a course on first response and crisis intervention) as well as through their staff participation in the National Seminar on Mediation. The average number of cases resolved by AJMs per month in the state has increased from 315 in December 2010 to a remarkable 1,415 during the quarter.

Chihuahua

Institutions Strengthened via the Performance Improvement Methodology

The Program began a process to strengthen the capacity of the Chihuahua AG and PD Offices through the introduction of its performance improvement methodology. For the PD Office, a preliminary evaluation of case management processes employed by the Office was carried out.

For the PIM in the AG Office, USAID completed a diagnostic that identified the institution's strengths and needs. Positive findings included: i) strong leadership within the AG Office; ii) a well-developed information technology system which allows for coordination with other justice institutions; and iii) a general consensus and commitment amongst office staff to standardize the case management system. Areas for improvement included: i) the need to develop performance indicators; ii) the time spent by prosecutors performing administrative tasks instead of dealing with cases; and iii) an excessive amount of time spent dealing with cases related to low impact crimes. The second stage of implementation was completed in Q3, through the development of criteria for ensuring adequate early attention services in AG Offices across the state. These criteria were developed by an internal committee of the AG Office, which was established as part of the first stage of implementation. The AG Office will next develop more specific criteria per type of crime.

Alternative Justice Center Strengthened

The JASP and the State Alternative Justice Center completed its joint assessment of the Center, finding a need for additional training for mediators, regular supervision, an evaluation of mediation processes and a work incentive program for its staff, as well as a need to establish a thorough set of indicators to measure the Center performance and thus ensure its effective and successful provision of services. The AJC had tracked the number of mediation processes carried out on a monthly basis, and the number of mediation sessions completed daily, amongst other statistics. With the

Program TA, the Center will develop indicators that focus on performance of the center and the mediators to ensure better quality in the provision of their services.

Furthermore, the average number of cases resolved by AJMs per month in the state has increased from 540 in Q2 2011 to 726 during the quarter.

Hidalgo

Alternative Justice Center Strengthened

In Hidalgo, the State AJC was strengthened this quarter, specifically via workshop for three of mediators on first response and crisis intervention. The Program also carried out an assessment of the AJC, which found that 73% of the staff observed while was caring out mediation processes did not properly follow the appropriate steps; 16 out of the 24 staff members did not pass an exam issued as part of the assessment, with the average grade of 3.8 out of 10; and that the physical infrastructure of the AJC is inadequate, lacking spaces that facilitate effective processes. Considerable training for mediators was recommended, as they are currently not capable of properly conducting mediation processes. Accordingly, an initial training program for mediators will begin in August 2012.

Preparation for the Entry into Force of the NCJS in Hidalgo Ensured

Ahead of entry into force of the NCJS in Hidalgo in 2013, USAID collaborated with the State SETEC and SSP to identify future areas for potential program support. This included a training program on the NCJS for police investigators ToT courses for justices, public defenders and police investigators, and the implementation of the coordination protocols for prosecutors and police investigators.

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. The Program 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.

During the period, the Program supported the Unit by conducting an evaluation of the unit, alongside the Unit's staff. This monthly evaluation resulted from the discovery of inadequate data collection processes within the UMECA and as such focused specifically on the management and recording of ongoing cases in the unit. As part of the process they reviewed 90 files and conducted interviews with nine UMECA officials. The Program made several key follow-up recommendations to the UMECA staff, such as the creation of a single, central log for inserting and tracking case information, further checks to ensure the validity of the information provided by the supervised individuals, and the establishment of a uniform system for evaluating the work of the UMECA case supervisors.

The Program also supported the unit through an assessment of the software requirements to develop a database for managing statistics and information for the UMECA, which will be instrumental in ensuring organized and effective UMECA operations. Furthermore, the JASP and the Open Society Institute built the capacity of three CSOs by carrying out a workshop on the NCJS, focusing in particular on the PTS available for juveniles. This resulted in creating a working relationship

between the CSOs and the UMECA, whereby the CSOs will take up a key supporting role in assisting and supervising juveniles in the UMECA system.

The Program also began development of documentary on the successes of the UMECA to communicate the success of the unit and the benefits of PTS in general. The film will feature ten cases involving adolescents prior to the opening of the UMECA and ten “success” cases since handled by UMECA, demonstrating its impact and advantages, for example how preventative prison is no longer the only option for defendants.

PTS to be Extended to Adults in Morelos

The Program continued to provide intensive assistance to the Morelos SSP and Sub-Committee for PTS ahead of the launch of the unit for Adults. Throughout the period, JASP assistance has focused on both the human resources and on the operational elements to prepare the upcoming unit for its August 2012 launch.

With JASP assistance, over 100 potential staff for the new unit went through security clearance checks, an entry exam was created, and job and competency profiles for the selection and evaluation of future staff were also developed. The Program also presented to the Working Group of the Sub-Committee for PTS charged with staffing the Unit the activities carried out by case evaluators and supervisors from the UMECA and the tools and methods they employ, and highlighted the principles and importance of transparency and honesty in conducting such roles. The Program also began to provide TA to the State Judiciary and the Social Reintegration Department of the Secretariat of Public Safety (which is leading the implementation process for the unit) towards creating a more efficient, just and coordinated system for taking defendants into custody, as the current system is complex and costly.

In implementing its PTS Unit Model for the new unit, the Program completed drafts for the flight risk interview format and flight risk evaluation tool, to be employed by the upcoming PTS Unit for Adults. The interview includes information regarding employment history; substance addictions; family members and dependents; and information regarding the interviewee’s case file provided by the police, while the flight risk evaluation tool includes information regarding the defendant’s living situation, their relation to the victim and their criminal record.

Institutions Strengthened via the Performance Improvement Methodology

The Program continued the introduction of its performance improvement methodology in the Morelos PD Office during the quarter. A preliminary evaluation and the development of standards for providing quality defense services were completed, and an internal committee has been established to lead the implementation of the methodology.

Nuevo Leon

USAID-SIJUPE Cooperation to Implement the Reform in Nuevo Leon Strengthened

Throughout the quarter, the Program continued its close collaboration with the State SETEC (SIJUPE in Nuevo Leon) to ensure a smooth transition to the NCJS, which entered into force by crime in January 2012. The SIJUPE, Judiciary and AG and PD Offices have also since broadened reform implementation with the determination of 32 new crimes to be covered under in the NCJS in Nuevo Leon in 2013, and began to identify the necessary additional steps for inter-institutional coordination. The AG and State Judiciary agreed in particular on the appointment of more judges to handle the rise in case numbers after domestic violence offenses enter the system.

With JASP TA, the SIJUPE improved their inter-institutional management model to facilitate

Program conducted working sessions with staff of the AG Office, the PD Office and the Judiciary ahead of their first hearings, and later shadowed their first cases, providing feedback on the performance. JASP initial recommendations included: i) judges shorten the length of oral trial hearings and ensure interpretation services for members of indigenous communities; ii) prosecutors avoid speaking with technicalities during trials, so that all participants can understand; iii) PD Office introduce staff shifts so that there is a constant presence in the office; iv) conducting an advanced training program on litigation for prosecutors of the region, as well as for the coordination between judges and prosecutors towards the development of standards for carrying out hearings, and v) the creation of a training program for prosecutors, police investigators and forensic experts on their coordination in criminal investigations. As such, the Program will conduct its initial training program for officials throughout the region.

Oaxaca Justice Sector Officials to Receive Invaluable Training

The JASP, the State SETEC, State Judiciary, SSP and AG and PD Offices, initiated an update of their training needs assessment for justice officials across the state towards ensuring their adequate ability to carry out their roles under the NCJS. The JASP provided the officials with an overview of its training program and the relevance of vetting process. The JASP also completed a rapid assessment of the State PD Office training unit, and preliminary findings indicated that the great majority of cases involve cultural and linguistic variables (there are 16 languages and 154 dialects spoken in Oaxaca), which poses a greater challenge for developing a solid defense strategy. As such, the Program carried out a corresponding workshop on the obstacles faced in working in linguistically and culturally diverse communities, given Oaxaca's extensive indigenous population. This assistance will improve the capacity of the PD Office equally protect the rights of the Oaxaca indigenous populations under the NCJS.

Institutions Strengthened via the Performance Improvement Methodology

The Program continued the implementation of its PIM in the State AG Office and the State Court. For the PIM-AG, the Program carried out three working sessions with the authorities of the Coastal Region, the northern and central regions, and the capital region, during which participants developed criteria for ensuring adequate early attention services and a work plan for the subsequent stages of the methodology was also developed.

The Program also collaborated with the State Court to develop a work plan for implementing the PIM, and correspondingly carrying out an evaluation of the caseload management system employed in the Istmo and Mixteca regions' courts. The Program collaborated with court staff to analyze data such as the number of cases and those disposed from the existing tracking system, to produce caseload management indicators. They also assisted the court in addressing the issues that arise from inconsistent data entry practices across the eight judicial districts of Oaxaca. Building on this effort the JASP, alongside the State SETEC, will conduct a preliminary evaluation of the State Judiciary Planning Office.

The Program completed a diagnostic as part of its PIM for the AG Office of the Isthmus Region in Oaxaca, which identified the institution's strengths and needs. Positive findings included: a strong commitment to implement the accusatorial system by the management; and to strengthen performance by the office staff in general. Areas for improvement included: i) the need to create a more efficient and centralized system for managing cases, considering a significant backlog dating to 2007; ii) the lack of a vetting process to select future staff; and iii) the need to develop performance indicators.

Women's Access to Justice Promoted

The JASP delivered TA to the Special AG for Crimes against Women and the Director of the

upcoming WJC towards the establishment of the Center. This included the drafting of the organizational model for assistance, the review of the recommendations of the National Commission for the Eradication of Violence against Women (CONAVIM, acronym in Spanish) on the architectural blueprints for the new WJC, and the drafting of a proposal for the equipment required in the Center. The Center is due to open in December 2012.

Alternative Justice Centers Strengthened

In Oaxaca, ten local offices of the Oaxaca Center for Restorative Justice were strengthened this quarter, via a study tour to Baja California, their participation in the First International Congress on Justice for Juveniles and workshops on restorative justice and crisis intervention. In addition, Four new regional offices were also opened during the quarter. Furthermore, the average number of cases resolved by AJMs per month in the state has gone in the eighteen months since December 2010 from 153 cases to 87 during the quarter. This decrease reflects the additional amount of time and attention being allocated to each case by now more thoroughly trained mediators.

Investigations Improved in Juchitan

Towards the implementation of its coordination protocols for prosecutors and police investigators, the JASP carried out a rapid assessment of the AG Office of Juchitan, where the protocols will first be implemented in the State. The assessment found that the police lack the necessary equipment for carrying out their roles, that their salaries are precariously low, and that the large size of the State Investigations Agency in the area presents clear challenges.

These observations later formed the basis of a work plan for implementation of the protocols. Accordingly, the JASP determined the 20 guidelines to be developed and tailored to the Juchitan AG Office to support the implementation of the protocols. As such, the JASP and the AG Office began analyzing questionnaires completed by police and prosecutors, investigation case files, and police and prosecutors' general performance in order to identify challenges and areas of opportunity to be prioritized for smooth implementation. The protocols will be fully implemented by October 2012.

Puebla

Pre-Trial Services to be Established with USAID Assistance

The JASP introduced key officials from the CEAMPAJ, State AG Office and State Secretariat of Public Safety to the key aspects of PTS, to allow them to make informed decisions on the implementation of such services in the state, including the administrative location of a potential Unit. The JASP carried out comprehensive presentations on the principles, characteristics and components of PTS, drawing in particular on its experiences in providing TA for the creation of PTS Units in Baja California and Morelos.

Capacity to be Built for Improved Reform Implementation

The Program conducted a rapid assessment of the State PD Office and Puebla and Tecitlan regional offices, involving the review of documentation, and statistics, and the interviewing of personnel, among other elements. This diagnostic completes the first stage of implementation of the JASP's PIM.

The CEAMPAJ, State Judiciary, and PD Office will ensure that the capacity of justice officials on the NCJS is built through an inter-institutional training schedule developed with USAID TA. A temporary schedule was developed for PDs, who are already participating in one course with approximately 30 participants, and the State Court. Training materials created by the JASP were

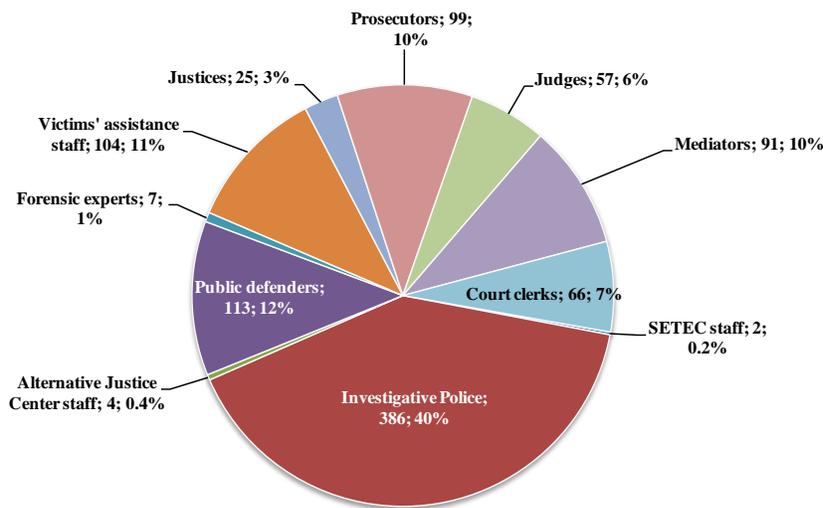
also sent to the CEAMPAJ and State Court for their familiarization.

Task 2.3 – Capacity of Justice System Operators to Implement CJR Strengthened

Capacity Built of Justice Sector Officials

In line with the results set out by the work plan, USAID trained a total of, **954 justice sector officials** (373 women and 581 men) this quarter, including judges, prosecutors, public defenders, police investigators, mediators, victims’ assistance center staff and AG office staff. 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. Importantly, these numbers only include participants who attended at least 80% of their courses.



During the quarter, the Program updated its process for registering data on trainings, with the main change being that it now enters in the training database the percentage of course attendance of each trainee, allowing the Program to closely track and monitor how many hours each trainee effectively attended.

The justice sector officials trained can be disaggregated as follows: 40.5% of the trainees were police investigators, followed by public defenders, 12%; victims' assistance staff, 11%; prosecutors, 10%; mediators, 10%; court clerks, 6.9%; judges, 6%; justices, 3%; forensic experts, 1%; alternative Justice Center staff, 0.4%, and SETEC staff, 0.2%.

During the period, 11 courses were carried out in Baja California, two in Chihuahua, eight in Hidalgo, five in Morelos, three in Nuevo Leon, six in Oaxaca, and 29 in Puebla.

Since November 2010, the average number of hours per trainee has increased significantly. As such, up to April 2011, the average number of hours per trainee was less than 35 hours, while in Q2 2012 the average was 89.7, and in Q3 2012 has increased to 111.2. 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. For further information on trainings, please consult Annex IV.

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 April to June, 1,235 tests were taken by 788 justice sector officials, graded on a scale from 0 to 10, with 10 as the best

possible grade.⁵ Some justice sector officials took more than one training course, and therefore took more than one test.⁶

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 5.6 points on average. Large increases in averages scores were also noted among forensic experts and justices (4.9 and 4.0 points, respectively). Oaxaca was the state with the largest average increase seen in the post-training tests with 4.1 points, followed by Chihuahua with 4.0 and Nuevo Leon with 3.3. For further information on pre- and post-training evaluations, please consult Annex V.

Impact of USAID Trainings Evaluated and Ensured

The Program is ensuring the effectiveness of its trainings through an evaluation to measure the impact and effectiveness of its trainings, the pilot of which was completed during the quarter. The process, which began in February 2012, involved the analysis of 108 electronic surveys randomly distributed to program trainees in Baja California and Oaxaca. The Program also conducted interviews with focus groups of mediators and beneficiaries in the latter state, and of judges, prosecutors, public defenders and police investigators in the former. These discussions and surveys provided an invaluable qualitative input to the evaluation. The pilot phase of the evaluation found that Program trainees are acquiring knowledge and learning new skills, which they regularly use on the job in the new roles under the adversarial system, and that their changed behaviors can be attributed to JASP trainings. Resulting recommendations included to develop specific learning objectives related to ideal behavior changes during the training design phase, to develop valid control groups when feasible and to commit trainees to provide follow-up information for conducting such evaluations. For further information please consult Annex IX.

The Program has also created and institutionalized the administration of pre- and post-training exams, to measure knowledge gained by trainees. A total of 123 exams have been developed for both training courses and ToT courses, for judges, prosecutors, public defenders, police investigators, mediators and staff of PTS units, SETECs and victims assistance centers. These exams have been systematically applied to Program trainings since November 2011. For a full list of the training exams, please consult Annex VII.

Training Materials Reviewed and Updated

The exemplary quality of JASP training materials was further strengthened through a comprehensive review and update of all training materials for justices, prosecutors and public defenders to be used by training institutes within justice institutions across target states. The updated materials contain modules, guidelines and objectives, and also feature bibliographies for participants. Further, pre- and post-training exams were created for all courses for justices. These materials will serve as the key features of training manuals to be produced and distributed to justice officials by JASP in the coming months, ensuring further sustainability of JASP training initiatives.

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

The Program hosted six study tours during the quarter, with five abroad and one within Mexico.

⁵ There are pre and post tests for each course, but not all trainees take both tests, which prevents the JASP from conducting a comparative analysis.

⁶ The detail of the number of exams taken by the trainees is as follows: 646 trainees took a single exam; 58 trainees took two exams; 13 trainees took three exams; 13 trainees took four exams; 25 trainees took five exams; six trainees took six exams; six trainees took seven exams; five trainees took eight exams; two trainees took nine exams; five trainees took ten exams, and five trainees took 11 exams.

The national study tour involved a visit for officials from the Oaxaca State SETEC, Judiciary, AG Office and PD Office to Nuevo Leon during which the Oaxaca officials participated in an inter-state exchange on best practices in implementing the NCJS with their Nuevo Leon counterparts.

Internationally, five study tours were carried out during the period. This included two to Chile, for judges and for administrative staff of justice institutions, two to the United States, for police investigators, prosecutors and forensic experts and for justice officials working on women's rights and assistance; and one to Colombia, for victims' assistance center staff and CSO representatives. USAID also facilitated the participation of three justices in an additional US Justice Department-hosted tour to Puerto Rico. A total of 141 participants from Baja California, Chihuahua, Durango, Hidalgo, Mexico City, Morelos, Nuevo Leon, Oaxaca and Puebla took part in the tours.

For a detailed presentation of the inputs received by the study tour participants please consult Annex X.

Study Tours – Course Topics, Venues, Dates and Practices Planned to Apply upon Return

Justice Official	Theme	Venue	Date	Practices Planned to Apply upon Return
Judges	Participants took part in a judicial exchange which included attendance in Chilean trials, interactive sessions with justices following hearings and classroom lectures.	Santiago, Chile	May 6-12, 2012	<ul style="list-style-type: none"> • Schedule hearings to carry them out quickly and efficiently • Use technology in all parts of the judicial process • Allow defendants to withdraw immediately from the courtroom
Victims' Assistance Staff	Participants learned about the Colombian model for guaranteeing victims' rights under their own accusatory justice system.	Medellin, Colombia	May 13-19, 2012	<ul style="list-style-type: none"> • Encourage CSO and government cooperation to create victims' assistance centers • Create historical memory centers to serve as forums for victims and communities • Implement programs in schools to raise awareness on victims' and human rights amongst youth
Police investigators, Prosecutors & Forensic Experts	Participants learned about key issues such as the recognizing and identifying of evidence; the management of crime scenes; and theories for conducting interviews.	Los Angeles, California, USA	May 13-27, 2012	<ul style="list-style-type: none"> • Conduct chronological documentation of all stages of the investigation • Create protocols for the collection of evidence and crime scene surveillance • Develop set of guidelines for each stage of the investigation
Victims' Assistance Officials & CSO representatives	Participants learned about the US model for victims' and women's assistance, counseling for victims' of domestic violence, and case management processes.	San Diego, California, USA	May 27- June 2, 2012	<ul style="list-style-type: none"> • Improve infrastructure of women's justice centers to make them more welcoming for users • Pursue the example of engagement with the private sector towards victims' support • Disseminate information on women's rights amongst the general public
Justice institution staff	Participants took part in a judicial exchange on best practices in the structuring and management of justice institutions.	Santiago, Chile	May 13-19, 2012	<ul style="list-style-type: none"> • Digitalize the judicial process • Disallow judges to interfere in administrative matters of the court • Establish performance indicators to measure the performance of justice officials

Quality Victims' Assistance Ensured in Oaxaca

USAID built the capacity of 40 staff from the State AG Office and ten professors from the Law and Social Sciences Department of the *Universidad Autónoma Benito Juárez de Oaxaca*, through an eleven-module certificate course on victims' assistance which was carried out during the quarter. The course focused on strengthening the capacity of the participants to guarantee victims' rights as outlined by the CJR, with modules addressing the role of the victim in the NCJS, national and international frameworks for victims' rights, and assistance for victims' of kidnapping and trafficking.

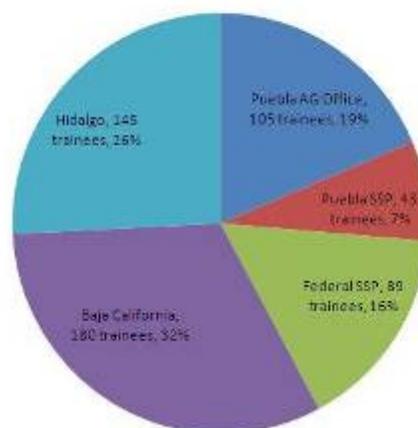
Training Videos Produced

The JASP improved and expanded its trainings for police and mediators, through the development of new training videos. The two police videos address coordination between police and prosecutors during investigations, and the reading of rights. The videos for mediators play out the various phases of restorative justice, including typical incidents that often arise. These educational tools will provide for an additional avenue for imparting training lessons and further ensure sustainable training.

E-Learning Program for Police investigators Carried Out

The Program continued to ensure sustainability of its training efforts, through the initiation in Q3 of the second phase of its e-learning pilot program for police investigators, which consists of two courses: "introduction to the accusatory criminal justice system," and "crime scene investigations." The second phase is marked by the incorporation of an additional 247 police (35 from Hidalgo, 89 from Mexico City and 123 from Puebla). The pilot has been essential for monitoring the functionality of the platform, the role of the tutor in supporting online discussions and the academic monitoring system, all the while incorporating student feedback for improving the system. Upon completion, this online platform will be able to host up to 6,000 trainees, thus building the capacity of a greater number of police officials at a lower cost, and will be transferred to state justice sector institutions for long-term implementation. An additional 268 Federal Police will join the program in Q4, as well as an estimated 100 officers from the Coastal Region of Oaxaca where the reform entered into force in April 2012, bringing the total number of beneficiaries to 930. For a presentation with further information on the e-Learning program, see Annex XII.

Total e-Learning Trainees by State: 562

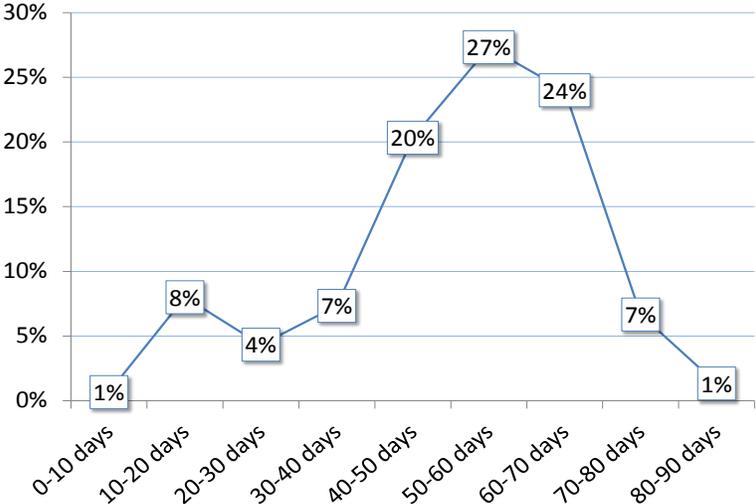


Master's on Human Rights for SSP Officials Carried Out

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 police 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. Throughout the quarter, module two on the "Public Security, the Accusatory Justice System and Alternative Methods for Conflict Resolution" was carried out. The full program consists of four modules in total, to be completed by March 2013. The police officers are divided into 20 groups, each of which has a specific tutor 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 human rights. For a presentation with further information on the Master’s Program, please consult Annex XIII.

Percentage of students disaggregated by the number of days they logged into the website

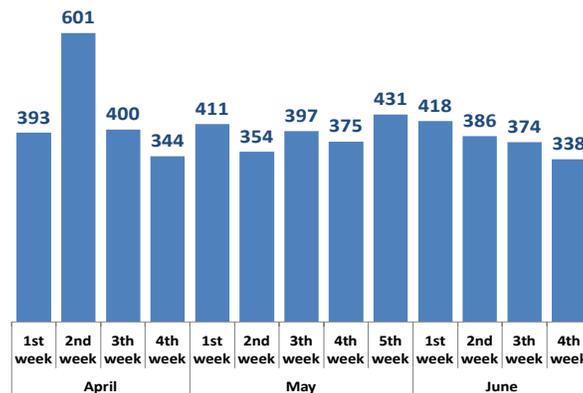


Throughout the quarter, the 300 students logged onto the platform an average 50 of the 88 days between April 1 and June 30, 2012. This means that they logged in at least four days per week with an average of 2.9 hours per week to review the website content and take part in the forums and discussions. Furthermore, 59% of the students visited the website more than 50 days during this period. Only 9% of the students logged onto the website less than 20 days.

Due to their parallel work obligations, the students participated mainly during non-working hours, with 43.1% of all activity being carried out at night, and almost 49% of all activity taking place on Saturdays or Sundays. Students can ask questions to their tutors and academic coordinators and share resources and articles with other students via the course discussion forums. During Q3, 258 students actively contributed with 5,222 interventions in these forums, representing an average of 20.2 interventions per student during the three months.⁷

⁷ This involves active contribution to the forums, which is not mandatory, while the remaining 42 students logged onto the platform and participated during the period, just without contributing to the forums

Number of interventions by students in the forums per week



Challenges and Opportunities

A major challenge for the Program will be the change in government, following the July 1, 2012 elections. In particular, Mexico has the longest “lame-duck” period in the hemisphere, with five months between election and inauguration. In addition to this transition period in which minimal decision-making will take place, many Program counterparts and trainees will likely be rotated out of their positions. An opportunity, on the other hand, is the solid reputation the Program has built within these institutions, which will allow for a smoother transition.

Ensuring continued implementation of the Program’s various methodologies and models by counterparts without Program TA will also be a clear challenge. As such, implementation will have a constant focus on sustainability, and the Program will strive to maintain a more supervisory role, leaving the implementation to the various counterparts.

With regard to PTS, it will be a challenge to maintain political will amongst officials in Baja California and Morelos, and to even establish that will in Puebla. It will also be a challenge in Baja California to overcome a weak relationship between the SSP and State Court. In response, the JASP has and will continue to identify key actors, such as the Morelos Governor, as allies in PTS implementation and championing, and will continue in Baja California to make direct efforts, for example through trainings, to engage judges in PTS implementation.

Concerning the implementation of the coordination protocols for prosecutors and police investigators, a key challenge has been overcoming longstanding and embedded habits and views of prosecutors, who have preferred an empirical rather than technical style of work. They often continue to see police as incapable of carrying out their investigative responsibilities and are better suited as drivers, messengers and secretaries. As a lack of political will amongst institution heads is also an obstacle, the Program has prioritized identifying and aligning with *de facto* leaders of institutions towards protocol implementation.

Regarding victims’ assistance, a key challenge is implementing a uniform, consistent approach, as the size and capacity of centers across the country varies tremendously. Further, challenges are still faced on generalizations on what is a victim, which often exclude adults and men in particular. Promisingly, more political will towards the issue has been demonstrated and in recent months its profile has been increasingly significantly.

A lack of political will, in Chihuahua in particular, has presented a challenge to Program trainings. In states such as Hidalgo and Oaxaca, SETEC-run TA has not left time for justice

officials to participate in Program courses. There is also low motivation by justice institutions to submit the necessary documentation for the vetting process on time and the adopting of training and ToT programs by the Federal SETEC has been a slow process. An insufficient interest demonstrated by justice institutions to provide training on victims' rights and alternative justice has also been a challenge. This includes the SETEC who have not incorporated victims' assistance into their training course for justice officials, while the Program itself must provide more courses. There is also need for public policy regarding victims' rights and assistance in states.

Promisingly, the majority of justice institutions have requested the training (and incorporated into the work plan for the no-cost extension period), demonstrating their willingness to implement of the reform. The Program will be able to implement its trainings programs in these institutions once training needs assessments have been carried out. Regarding victims' rights and assistance in particular, the JASP is one of the few programs that have addressed this topic. The Program itself has gained trust and confidence from justice institutions on their ability to provide training, and in the majority of states there is a demand for TA and training.

Objective 3: Results Achieved

Under Objective 3, the Program advanced on goals set out in the work plan and is able to report on a number of notable achievements, including the launch of the national social media campaign to promote the reform and the website and six videos of which it is composed, which have already reached 20,000 views online; the engagement of hundreds of CSOs representatives on the reform through carrying out the Fourth National Forum on Justice and Security; the training of 54 journalists on reporting under the new system in Baja California, Morelos, Oaxaca and Puebla; the publishing of 68 good quality articles in 18 papers in the seven target states; the completion of 15 CSO grantee projects and the CPC-PGR projects, and the closing of ANCPG projects, whose accomplishments are further outlined below.

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

National Media Campaign on the NCJS Launched and Disseminated

During the quarter, the national media campaign to support the reform was launched with the dissemination via YouTube, Facebook and Twitter of six videos that communicate key reform principles. These videos, entitled *No más prejuicios* (“No more prejudices”), *No más tortura* (“No more torture”), *No todo es cárcel* (“Not all is jail”), *No Más Coyotes* (No More Coyotes), *No Más Ya Ni Modo* (No More Yeah Whatever) and *Ni Un Paso Atrás* (Not Even One Step Back), convey the reform principles of the presumption of innocence, anti-torture, that jail is not always the solution to crime, and aim to appeal to all sectors of society, regardless of socioeconomic background. The Not Even One Step Back video was produced exclusively for Chihuahua, to prevent loss of momentum for implementation in the state.

The initial three videos were screened during a launch event for approximately 65 journalists, civil society representatives, academics and students, which included a panel on the campaign and the reform, composed of the head of the prominent CSO CIDAC, the director of the national *Animal Político* blog, and a renowned local radio and television presenter. They were also featured during the Fourth National Forum on Justice and Security before hundreds of government and CSO representatives, with respondent to the Forum Survey stating that “The presentation of the #estoelajusticia campaign is an excellent tool for those who support the implementation of the oral adversarial justice system, to show non-experts or opponents, to gain their support.” The videos are available on the campaign website www.estoelajusticia.org, which also hosts key reform information on the national and state level, and a platform for sending tweets and questions to policy makers on the reform. The six videos have thus far reached over 20,000 views on YouTube, and the site has had over 3,000 visits since its launch, with 89% of visits coming from Mexico and 5% from the United States. This has been possible by promotion via the Program Twitter account, as well as the Twitter and Facebook accounts of key counterparts such as CIDAC and *Animal Político*. The website also hosts key reform information on the national and state level, and a platform for sending tweets and questions to policy makers on the reform.

Program Twitter Account Captures Audience on the Criminal Justice Reform

The Program Twitter account has continued to engage a steadily growing audience on the CJR, surpassing the benchmark of 1,000 followers. This quarter, the most popular topics tweeted and re-tweeted were alternative justice and human rights, while the states most commonly mentioned were Baja California (17) and Nuevo Leon (15). Notable tweets from the period included “It is necessary that justice arrives in an expedited form, we need alternative justice mechanisms” and

links to reflective articles on oral trials and accusatory justice systems.⁸ The achievement of reaching 1,000 followers represents a great milestone in the Program's efforts to inform the general public on the reform through innovative means.

Fourth National Forum on Justice and Security Raises Awareness on Reform Implementation

The Program co-organized during the period the Fourth National Forum on Justice and Security that involved the participation of President Felipe Calderon, three candidates to succeed him, the Federal Attorney General, and various other prominent individuals from the government and civil society. The Forum featured in particular the participation of presidential candidate Enrique Peña Nieto - now candidate elect - who stated that he will implement the reform nation-wide and will earmark funds for the modernization of each stage of the process, and underscored his experiences as Governor of the State of Mexico, one of the three states that have fully implemented the Criminal Justice Reform. He also stated his position in favor of maintaining the AG Office within the executive branch of government. As part of its preparation and promotion of the event, and in addition to countless logistical tasks, the Forum co-organizers the Oral Trials Network of CSOs, including the prominent organizations Mexico SOS and Renace, carried out a press conference for journalists from *Grupo Reforma*, *Televisa*, *TV Azteca*, and more. The forum marked important collaboration between government and civil society to foster the NCJS and ensure continued reform implementation, and served as an invaluable platform for bringing the reform to the forefront of the presidential campaign.

The event was a monumental and successful opportunity for mapping progress on the reform, and engaging and informing an audience of 450 participants and an additional 546 via an online stream. Participants completed 262 surveys with their feedback and observations on the event, which ranged from more general reflections – such as “this gave a good, general panorama of the gradualness of implementation of the reform and the obstacles and successes thus far” – to more specific observations, such as “one of the most important elements in implementing the reform is that the prosecution adapts to the demands of the new system” and “it was a good proposal to support and empower the PD Office, as it is an essential part of the justice system that had been left behind, and quality defense services must be provided.”

Reform Implementation Evaluated in Morelos

The OTN and USAID drafted a report submitted by the Morelos Governor's Office, outlining their reform implementation efforts since 2006. Suggestions for improvement included the need for more working sessions between civil society and the state implementation agency (SETEC, acronym in Spanish) and to improve coordination between the State SETEC and justice institutions to better organize reform implementation projects. This activity underscores the importance of engaging with civil society in reform implementation, and the invaluable supporting role they can play.

Restorative Justice Network in Chihuahua Established

The inaugural session of the Restorative Justice Network - a group composed of eight CSOs and individuals from the academic community formed with Program assistance for capacity building - took place during the quarter. The CSO Network updated their mission statement and communication plan, including in particular a strategy for disseminating information on restorative

⁸ These tweets in their original forms were “Es necesario que la justicia llegue en forma expedita, necesitamos mecanismos de justicia alternativa [twitpic.com/9zagzq](https://twitter.com/9zagzq) vía @MEXICOSOS”, “Les dejo un buen artículo de reflexión, y la razón por la que hay que capacitarse ¿Juicios orales? | El Economista [fb.me/1uxih4fsO](https://www.facebook.com/1uxih4fsO)”, and ““Con-ciencia política y social”: Retos y Perspectivas del Sistema Acusatorio Penal en México bit.ly/HMuEWX vía @PuntodeVistaSLP”.

justice. The Network has developed a calendar of events and will target schools and communities to provide training and information on restorative justice and how it can be incorporated into daily life in order to help rebuild the social fabric of Chihuahua. With the JASP's support the Restorative Justice y Network will be instrumental in raising awareness of the principles of the NCJS in Chihuahua, a state that has been plagued by violence and lacks strong public support for the reform.

The group also initiated the development of protocols that will define which type of cases it will help to mediate,⁹ addressed strategies to raise funds to pay for its legal expenses, and scheduled monthly coordination sessions for network members.

Citizens' Justice Observatory in Nuevo Leon Monitors and Evaluates Reform Implementation

The Citizens' Justice Observatory (CJO) - the watchdog group composed of more than 20 CSOs established with USAID assistance – focused its efforts this quarter on the launch of its website to communicate both the group's objectives and activities as well as information for the general public on the reform. The website - <http://www.ocj.org.mx/> - is composed of an overview of the CJO and its members, indicators for monitoring reform implementation developed by the group, a blog and a news section, amongst other features.

The CJO also completed performance evaluations of the State PD and AG Offices, taking into consideration the methodologies used for studies carried out by the Federal SETEC and Justice Studies Center of the Americas (CEJA, acronym in Spanish). The evaluation, the findings of which will be available in July 2012, monitored the compliance of PDs with essential elements of the CJR such as transparency and efficiency, and will be presented to the PD and AG offices for review.

Key Alliances for Promoting the Passage of Reform Legislation Fostered

The Program strengthened the capabilities of CSOs to advocate for adequate reform legislation, in particular through TA to the CSO *la Red de Todos los Derechos para Todos* ("Network for All Rights for All"). With USAID assistance the organization produced a list of key recommendations on human rights aspects that need to be considered in the FCPC Bill, that were then presented to the Justice Commission of the Federal Congress. The recommendations addressed limitations to plea bargaining, inspections without warrants and agreements for reparations, amongst other human rights issues. This cooperation will be critical for ensuring an effective and just FCPC, all the while engaging important civil society actors in reform implementation.

Projects with the Citizen Participation Council of the Federal Attorney General's Office Implemented and Monitored

With JASP assistance, the CPC-PGR completed during Q3 the implementation of four projects that promote citizen involvement in denouncing crime and corruption, and promoting the principles of the reform. The projects and their achievements, first during the quarter and second during the life of the project (LoP) include:

- *Formando Líderes Ciudadanos: Strengthening Community Leaders*
 - In Q3, a total of 920 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 Baja California, Jalisco, Oaxaca, Queretaro and Tlaxcala. Participants received an average grade on pre-training evaluations of 4.7 out of 10, while the average for post-training tests was 7.9. Therefore, on average, grades improved by 3.2 points, or 67.4%.

⁹ CSOs do not have a legal mandate to perform as mediators, but can serve as facilitators and help resolve community conflicts. However, the agreements reached with their assistance are not legally binding

- During the LoP, twenty such trainings were carried out as part of the project for 3,072 individuals in 20 states, which have led to the creation of a pool of activists and journalists that are knowledgeable about the NCJS and well-prepared to foster the reform.¹⁰
- *Transparencia Focalizada: Increase Transparency*
 - In Q3, two awareness raising events were carried out for the promotion of the project's call center for reporting complaints against public officials, and 4,305 surveys were administered to citizens on the quality and reliability of the Attorney General's (AG) Office and its services.
 - During the LoP, four awareness raising events were conducted since the launch of the call center, and 8,322 surveys were administered. Among the results of these surveys, a notable 71% of respondents found that the services provided at the AG Office were good or excellent.
- *Ciudad Posible Sí: A culture of mediation and justice for public schools in Ciudad Juarez.*
 - The capacity of 66 teachers was built through trainings aimed at promoting a culture of conflict resolution through mediation, and the 51 corresponding projects they developed with their students were presented ahead of their teachers and families.
 - During the LoP, as the 66 teachers developed projects with 30 students each, the project directly benefited 1,980 individuals.
- *Narrar para Convivir: Telling Stories to Coexist*
 - During Q3, the CPC-PGR carried out an interactive learning session about the reform with 300 youths and their teachers on the principles of the NCJS. The CPC-PGR also conducted a final three-day event, during which students presented on the principles of the NCJS to approximately 1,000 primary students, 50 teachers and 200 parents.
 - During the LoP, the capacity of 120 teachers in Oaxaca was built through CPC-PGR trainings, who then developed creative projects, such as plays, poetry and stories, on the reform within their schools for approximately 6,000 students and exhibited them to approximately 500 parents and to their communities at large.

Key Alliances among CSOs Working in Areas Related to Security and Justice in Collaboration with the ANCPFC Fostered

The ANCPFC, whose project was closed this quarter, advanced during the period 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. Two "Social Dialogues" were conducted by the ANCPFC (both in Puebla). These dialogues are forums in which the Stakeholder Group CSOs discuss local concerns and issues that they want to address with local authorities. The results of the Social Dialogues were then brought for discussion to the "Security Dialogues," with the key characteristic being the participation of local authorities. Nine such dialogues were carried out this quarter, with one in each target state. Social and Security Dialogues foment strategic alliances among CSOs working in areas related to security and justice, and provide a space for discussing critical community issues and developing strategies to address them. During the LoP, 20 Social Dialogues and 13 Security Dialogues were conducted, with at least one in each target state.

The ANCPFC also conducted trainings for the State Stakeholder Groups of CSOs in each of the JASP priority states. Over the course of the quarter, there were seven trainings on mediation (one in Chihuahua) and fundraising (six, in Baja California, Chihuahua, Hidalgo, Morelos, Oaxaca and

¹⁰ These states include Aguascalientes, Baja California, Baja California Sur, Campeche, Chihuahua, Coahuila, Durango, the Federal District, Guerrero, Hidalgo, Jalisco, State of Mexico, Morelos, Nuevo Leon, Oaxaca, Puebla, Queretaro, Tlaxcala, Veracruz and Zacatecas

Puebla) during which 165 individuals from 105 organizations were trained. During the LoP, the ANCPC built the capacity of 316 representatives from 160 organizations through trainings on mediation (one), strategic planning (one), teamwork (one) and fundraising (13) for CSOs.

Deliverables Completed by Program Grantees

The Program closed fifteen CSO-grantee projects during the period, bringing the total closed to 40 with two to be closed in July 2012. Significant achievements in the closed projects include:

- *Arte en el Parque* (Art in the Park): successfully fulfilled the objective of fomenting a culture of solidarity and family integration through art by carrying out the following: 400 surveys finding out more about community members and their cultural interests, seven cultural festivals with over 20,000 attendants, including the participation and promotion of over 100 local artists.
- *Asociación para el Desarrollo Integral* (Association for Comprehensive Development): raised awareness on the prevention of TiP in Mexico City through a campaign which included: i) workshops for 149 public school teachers; ii) the production of a play entitled “Trying to Escape,” performed at five “Prevention Days” held by the project, which were attended by over 2,000 civil members including teachers, parents and children; and iii) the publishing of two comic books for children and adults of which of each 2,000 copies were distributed.
- *Centro Humano de Liderazgo* (Center for Leadership): completed its objective to engage young people in community projects, and successfully trained youths in life and leadership skills and created alliances between different youth organizations to increase their capacity to develop their communities.
- *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos* (Mexican Commission for the Protection and Promotion of Human Rights): successfully trained 60 justice officials of the AG Office in Mexico City through four workshops in which participants learned about the prevention, investigation and punishment of torture under the NCJS, and developed protocols to deal with these cases within the Office. A video on the prevention of torture was also created, which will be used as training material in AG Offices across Mexico and as a tool to disseminate information on this topic amongst the general public.
- *Consejo para el Desarrollo Social de Ciudad Juárez* (Social Development Council of Ciudad Juarez): provided training to 30 CSOs in Ciudad Juarez on creating programs to enhance the community (which is heavily conflicted by violence) on topics such as victims’ assistance, protection of children and treatment of addictions. They also organized and conducted a forum on “Social Policy and Citizen Participation” in order to promote dialogue and cooperation between civil society and government which was attended by approximately 80 persons from the general public. Topics addressed included the need to develop a law for citizen participation, women’s participation and social development in the context of violence.
- *Crecimiento Humano y Educación para la Paz* (Human Growth and Education for Peace): the group completed its objective to develop a program to supervise and support the work of therapists, community activists and CSO staff who provide assistance to victims of violence in Ciudad Juarez.

- *Fondo para Niños* (Children’s Fund): raised awareness about and promoted the prevention of TiP among indigenous persons in Chiapas by training youth on these issues so that they could spread this information to children in their communities. Throughout the project 16 youth built the capacity to design training programs to inform children on this topic. They then carried out 24 workshops for 880 children in 12 primary schools, one secondary school and one public library.
- *Fondo Unido* (United Fund): successfully carried out its “Research for the Application of a Comprehensive Child Assistance Plan,” during which it researched and analyzed health services, education and infrastructure and their effective utilization for children aged zero to six in Ciudad Juarez.
- *Fundación Casa Alianza* (Home Alliance Foundation): the organization related to the prevention of trafficking in persons (TiP) and the provision of comprehensive assistance for victims of trafficking, in particular amongst the youth. The grant ran from October 2010 to April 2012 and the CSO was found to have successfully completed its objectives, including with the provision of assistance to 854 potential TiP victims by reaching out to children alone in public spaces, a result of which 59 came to the CSO for assistance and 28 were referred to other organizations. It also carried out a campaign for the public in general to raise awareness of the issue, reaching about 3,800 individuals through bracelets, flyers street banners, public plays and a website.
- *Fundación Infancia* (Childhood Foundation): Their project to promote social reintegration for victims of trafficking in persons (TiP) ran from October 2010 to March 2012. The project had successfully completed its objectives including i) working together with CSOs and USAID grantees *Casa Alianza* and *Casa de las Mercedes* for the training of 279 government officials on TiP in Baja California, Puebla and Sinaloa, and ii) the carrying out of the “Youth Career Initiative (YCI)” program, a six-month series of trainings for 28 victims of TiP, which provided them with the necessary skills for future employment in the hotel industry.
- *Organización Popular Independiente* (Independent Popular Organization): completed its “Creating a Community of Peace” project, through which it provided a series of open-air events for children aged four to 12, to promote their rights and the establishment of safe communities for them.
- *Red Mesa de Mujeres* (Women’s Roundtable Network): successfully carried out its “Security and Access to Justice for the Life and Liberty of Women in Juarez” project, characterized by the formation of women’s rights networks and research and publications on such issues.
- *Universidad Iberoamericana* (Iberoamericana University): built the capacity of civil society members and organizations to defend and promote human rights in Ciudad Juarez ran from October 2010 to April 2012. The project successfully completed its objectives including the training of 26 legal aid attorneys from 11 CSOs and four representatives from two universities. Participants acquired the skills to ensure the protection of human rights. A guide on the CJR and human rights for civil society members was also produced, of which approximately 200 copies will be distributed in July 2012.

- *Universidad Tecnológica de Cancún* (Technological University of Cancun): raised awareness amongst the tourism industry in Yucatan on the sexual exploitation of minors. As part of the project, 41 employees of three major hotel chains learned about the prevention of sexual exploitation as outlined by the International Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. In addition a manual on the prevention of trafficking-in-persons (TiP) was developed, which was included in the Secretariat of Public Education’s catalogue of training materials to be used in courses offered nationwide.
- *Via Educación* (The Route to Education): successfully completed its project to train citizen leaders to promote community development and social cohesion in Nuevo Leon. Over 80 members of 40 civil society organizations developed the skills to promote peaceful coexistence, public participation in democracy, self efficiency, empathy and social confidence through trainings offered by the project. In addition 175 professors from 125 high schools received training to teach their pupils on proactive community participation.

JASP support has been instrumental in ensuring that each of these fifteen projects significantly contributed to promoting the principles of the reform and as such the CSOs will have a greater capacity to carry out their future work, thus contributing to the overall sustainability of the reform.

CSO Trainings and Clear Increased Knowledge Demonstrated

In Q3, USAID trained **1,091 members of civil society** (553 women, 538 men). The trainings were carried out for representatives of the seven target states of Baja California, Chihuahua, Hidalgo, Morelos, Nuevo Leon, Oaxaca and Puebla, as well as Baja California Sur, Jalisco, Queretaro, the State of Mexico, and Tlaxcala. A total of 699 individuals were tested on knowledge gained through pre - and post-training exams. The grades of 55.8% of trainees increased on the post-test. Their average grades improved from 4.3 on the pre-test to 8.1 on the post-test (on a ten-point scale), an average increase of 86%. For more information, please refer to Annex VI.

As a testament to the quality of JASP trainings on fundraising, seven Program-trained CSOs obtained approximately US \$470,000 from various national and international organizations during the quarter, which will be used to promote the reform and its principles among the general public.

CSO Fundraising Trainees and Grants Received

CSO	Donor	Amount, USD¹¹
Centro de Estudios para la Enseñanza y el Aprendizaje del Derecho, A.C.	International Republican Institute	\$40,000
Promoción de Paz, A.B.P.	Donations from 100 private individuals	\$63,460
Consejo Cívico de las Instituciones de Nuevo León	Anonymous Donor	\$24,175
Centro Profesional Indígena de Asesoría, Defensa y Traducción, A.C.	INDESOL	\$20,550

¹¹ The following amounts are exchanged from Mexican Pesos and are therefore subject to change based on daily exchange rates.

Centro de Asistencia y Defensoría Jurídica Indígena de Baja California, A. C.	National Committee for Development in Indigenous Towns	\$13,220
Casa Amiga, Esther Chávez Cano, A.C.	Oak Foundation	\$226,635
Colegio Interdisciplinario de Desarrollo Humano y Medios Alternos de Solución de Conflictos	Puebla Municipal Secretariat of Public Safety	\$43,815

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

Journalists’ Knowledge of the CJR Enhanced

A total of 54 journalists were trained from Baja California, Morelos, Oaxaca and Puebla during the period. During these two-day workshops, the JASP taught them how to report on crime, violence, public security and criminal justice, while respecting the principles of the NCJS. Examples from journalists operating under accusatorial systems in Germany and Spain were shared, and trainers discussed the theme of journalism in high-risk environments. In total, 133 were trained from all target states between Q2 and Q3.

The Program also completed its manual for journalists reporting under the NCJS. The manual will be a fundamental tool in ensuring that journalists, those who have participated in JASP trainings or those that will receive it, learn how to report under the new adversarial system while respecting principle such as the presumption of innocence. Design and printing of the manual will be completed in Q4, after which it will be presented and distributed at events in Chihuahua, Mexico City and Nuevo Leon, as well as to journalists who have participated in JASP trainings and in its electronic form via the Program Twitter account.

Journalists Take Up Role as Key Disseminators of Reform Information

Program media monitoring and analysis have shown that JASP-trained journalists from all target states are respecting the principles of the reform in their articles. Since their trainings, 28 journalists have published in total three stories in Baja California, 13 in Chihuahua, 16 in Hidalgo, seven in Morelos, eight in Nuevo Leon, three in Oaxaca and 16 in Puebla that reflect knowledge of the CJR acquired through JASP trainings, as measured by the Program scorecard that verifies that these reporters demonstrate respect for the rights of both the accused and the victims and maintain the presumption of innocence.

Articles Published by Program-Trained Journalists that Comply with the Program Scorecard

State	Number of Journalist with Articles Complying with the Checklist	Number of Articles that Comply with the Checklist	News Outlets	Journalists
Baja California	2	3	Revista Zeta and Síntesis TV	Cristian Torres Cruz & Heriberto Reyes
Chihuahua	4	13	El Herald and el Observador	Armando Villanueva, Filiberto Ortiz, Yanneth Villalobos & Carolina

State	Number of Journalist with Articles Complying with the Checklist	Number of Articles that Comply with the Checklist	News Outlets	Journalists
				Cardona
Hidalgo	5	16	Criterio, Síntesis de Hidalgo, El Independiente de Hidalgo and Nueva Imagen	Miriam Avilés, Ommar Ayala, José Manuel Martínez, Yossimar Durán & Ruth Zenteno
Morelos	3	7	La Jornada de Morelos, El Regional and La Unión de Morelos	Elizabeth Cuevas Villalobos , Estrella Pedroza & Maciel Calvo
Nuevo Leon	8	8	El Norte	Ángel Charles, Gabino Arriaga, Gabriel Talavera, Osvaldo Robles, Perla Martínez, Verónica Ayala, César Cepeda & José García
Oaxaca	2	3	Excelsior and Proceso	Pedro Matías & Patricia Briseño
Puebla	4	15	Poblanerías, Status de Puebla, El Sol de Puebla and Diario Puntual	Daniel Hernández Cruz, Joel Árcega, Mónica Franco & Kara Castillo
TOTAL	28	65	18	28

These monitoring activities allow the Program to confirm the capacity of PASJ-trained journalists to accurately disseminate news and inform citizens about the new system. For further information on the articles and their scorecard results please consult Annex VIII.

Challenges and Opportunities

3.1

The Program will strive to ensure the strength of the CJO in Nuevo Leon, as this network will serve as an example for similar future CSO networks for reform implementation monitoring. The fact that RENACE, a central member of the Network, is prominent not only in Nuevo Leon but across the country will serve as an excellent opportunity for disseminating the CJO's best practices.

3.2

A key challenge will be overcoming the tendency of the Mexican press to write what sells, rather than what is fair. The Program has trained journalists, but ultimately it is their editors and bosses who determine what is published. As such, a major opportunity will be the participation of not only journalists in the upcoming period in Program workshops, but of their superiors as well.