



USAID | **EL SALVADOR**
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**USAID STRENGTHENING DEMOCRACY,
IMPROVING THE JUSTICE SYSTEM
IN EL SALVADOR**
(September 15, 2008 – July 15, 2012)

FINAL REPORT

Prepared by:

Checchi and Company Consulting, Inc.
1899 L Street, NW, Suite 800
Washington, DC 20036

SEPTEMBER 14, 2012

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(Contract No. DFD-I-02-04-00170-00)

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DISCLAIMER

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

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LIST OF ACRONYMS

AGO	Attorney General's Office
AMS	<i>Asociación de Mujeres Salvadoreñas</i>
ANSP	<i>Academia Nacional de Seguridad Pública</i>
CARSI	Central America Regional Security Initiative
CAUs	<i>Centros de Atención al Usuario</i>
CDMC	Ciudad Delgado Mediation Center
CICS	Inter-Institutional Coordination and Follow-Up Committees
CIS	Criminal Investigative System
CJO	Criminal Justice Observatory
CNJ	<i>Consejo Nacional de la Judicatura</i>
CP	Community Policing
CPC	Criminal Procedure Code
CPM	Community Policing Model
CPP	Crime Prosecution Policy
CPSEAPs	Crime Prevention/Security Enforcement Action Plans
CPU	Community Policing Unit
CSO	Civil Society Organizations
DGCP	<i>Dirección General de Centros Penales</i>
DOI	Directorate of Investigations
DPLA	Department of Proof and Conditional Liberty
DPSIJC	<i>Derechos Privado y Social</i> Integrated Justice Center
DPTC	<i>División de Policía Técnica y Científica</i>
DVIs	Domestic Violence Initiatives
EC	Executive Committee
ESEN	<i>Escuela Superior de Economía y Negocios</i>
FMECP	Forensic Medicine Expert Certificate Program
FSI	Forensic Sciences Institute
FUNIPRI	<i>Fundación la Niñez Primero</i>
GOES	Government of El Salvador
ICTM	Intensive Case Theory Methodology
IDHUCA	<i>Instituto de Derechos Humanos de la Universidad Centroamericana</i>
IG	Inspector General's Office
IIC	Inter-Institutional CPC Implementation Committee
IJC	Integrated Justice Center
IMIJC	Isidro Menendez Integrated Justice Center
IML	<i>Instituto de Medicina Legal</i>
INL	Bureau of International Narcotics and Law Enforcement Affairs
ISO	<i>International Organization for Standardization</i>
ISDEMU	<i>Instituto Salvadoreño para el Desarrollo de la Mujer</i>
ISNA	<i>Instituto Salvadoreño para el Desarrollo Integral de la Niñez</i>
JSCC	Justice Sector Coordinating Commission
LEPINA	Law for the Protection of Youth and Adolescents
LOC	Leadership and Organizational Change

LTSP	Long-Term CPC Implementation Strategic Plan
MCs	Court-Annexed Mediation Centers
MIP	Joint Manual of Investigative Procedures
NCP	National Civil Police
NCrP	National Crime Policy
NGO	Non-Governmental Organization
OAWC	Organizational Assessment Working Committee
ODACs	Users Attention Offices
ODPs	<i>Oficina de Distribución de Procesos</i>
ORAC	<i>Oficina de Resolución de Conflictos</i> (Mediation Centers)
ORMUSA	<i>Organización de Mujeres Salvadoreñas</i>
PDO	Public Defender's Office
PGR	<i>Procuraduría General de la República</i>
PMP	<i>Performance Monitoring Plan</i>
RCCs	Rape Crisis Centers
RRUs	Rapid Response Units
SC	Supreme Court
SiCEE	<i>Sistema de Control Electrónico de Expedientes</i>
SENDAS	<i>Asociación Déjame Ayudarte/Sendas para la Mujer</i>
SIG	<i>Sistema Informatizado de Gestión</i>
SIGAP	Sistema de Información y Gestión automatizada del Proceso Penal
SIN	Sub-Directorate of Investigations
SMD	Statistics and Monitoring Department
SVWG	Sexual Violence Working Group
UCA	<i>Universidad Centroamericana Jose Simeón Cañas</i>
UCAMWs	Crimes Against Minors and Women Units
UTE	<i>Unidad Técnica Ejecutiva</i>

EXECUTIVE SUMMARY

The four-year Program to Improve the Justice Sector of El Salvador (the Program), executed through Task Order numbered DFD-I-02-04-00170-00 by Checchi and Company Consulting, Inc. (Checchi) from September 15, 2008 through July 15, 2012, was a highly successful, comprehensive and integrated effort to strengthen the justice sector of El Salvador, producing concrete and sustainable results.

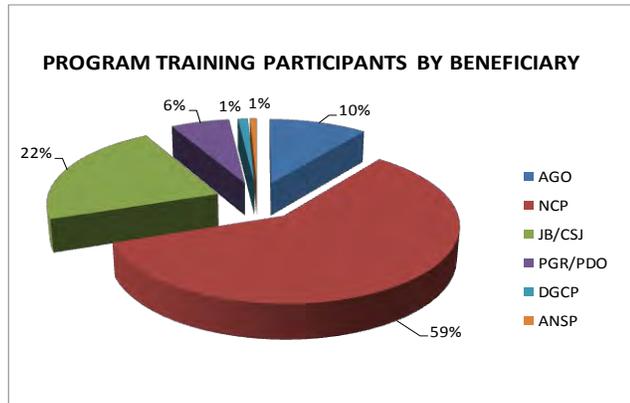
While focusing primarily on the criminal justice sector, yet also including substantial efforts in the civil, family and juvenile delinquency fields, the Program focused intensively on the strengthening of key institutional counterparts of the Government of El Salvador (GOES), including the *Unidad Técnica Ejecutiva* (UTE) of the Justice Sector Coordinating Commission (JSCC), the National Civilian Police (NCP), the Supreme Court (SC), the *Procuraduría General de la República* (PGR), and the Attorney General's Office (AGO), as well as with several key civil society and other counterparts. Highly participative methodologies were applied to actively involve key stakeholders through on-going consultation and close coordination in, among other things, the design and implementation of improved case handling and operational models. The Program was able to achieve positive results notwithstanding the frequent turnover of leadership in many of the counterpart institutions as well as numerous political, social and institutional challenges faced throughout the course of the Program.

Strengthening the justice sector institutional capacity to implement the new, more accusatory Criminal Procedure Code (CPC), approved by the National Assembly on October 22, 2008, yet not entering into effect until January 1, 2011, was the most important overarching result of the Program. Other major accomplishments include the following:

- Establishment of 12 AGO Rapid Response Units (RRUs), which greatly reduced the average case processing time, particularly summary proceedings, in the AGO and in the courts;
- Implementation of a Community Policing Model (CPM) in 13 communities, which increased public confidence in the NCP and decreased the incidence of violent crimes;
- Creation of five Supreme Court Domestic Violence Initiatives (DVI) offices, which for the first time in El Salvador provided victims of domestic violence with high quality, multi-disciplinary services;
- Establishment of two Rape Crisis Centers (RCCs) at the *Instituto de Medicina Legal* (IML), which secured services for victims of rape and increased the number of convictions for these serious crimes;
- Expansion of alternative dispute resolution services through the establishment of five coordinated Supreme Court/PGR Mediation Centers (MCs), introducing court-annexed mediation to El Salvador for the first time;
- Design and implementation of five Court Centers for Attention to Users (CAUs) and Case Distribution Offices (ODPs), which increased access to justice and transparency in the criminal and civil courts;
- Formation of the Public Defender's Office (PDO) Investigations Unit, which increased the possibility of public defenders to investigate defense theories and better challenge the proof of prosecutors;
- Development of the PGR Training School, fulfilling a decades-long dream of the PGR to be able to train its own staff;

- Creation of the AGO Crime Analysis Unit, increasing the quality of investigations in complex cases; and
- Implementation of the Criminal Justice Observatory (CJO), a civil society effort to monitor the effectiveness and functioning of the criminal justice system.

Direct training as well as “training of trainers” were important strategies to increase institutional capacity to implement the CPC. In total, the Program’s training efforts reached more than 12,400 representatives from the counterpart institutions, including over 1,700 justice sector operators who were trained pursuant to intensive, inter-institutional courses regarding the implementation of the new CPC.



Maintaining a focus on sustainable, institutional development, the Program provided extensive re-engineering assistance in the design, implementation and documentation of improved case handling models and operational procedures in the AGO, NCP, PGR, IML, the Division of Proof and Conditional Liberty (DPLA) of the Supreme Court, and other divisions of the SC as related to the DVIs, the RCCs and the Mediation Centers. In addition, the Program assisted in the development of numerous documents, critical to the re-engineering and modernization efforts and to the sustainability of the models developed, such as: the Manual of Investigative Procedures (MIP), the CPC Police-Action Pocket Guide, the Summary Treatise of Guidelines on the CPC Laws of Evidence, the AGO Crime Prosecution Policy (CPP), the NCP Institutional Assessment, the Community Policing Manual, the DVI Operational and Policy Manual, the Restorative Justice Manual, and the Juvenile Crime Prosecution Policy. These activities and documents resulted in vast improvements in the organizational effectiveness and efficiency of the corresponding institutions.

Finally, through the administration of small grants and other funding mechanisms, the Program established effective partnerships with numerous local companies and civil society organizations (CSOs). Much of the Program’s success can be attributed to the quality of these partnerships.

The impact of these activities was extraordinary, significantly reducing violent crime in targeted areas, increasing confidence in the justice sector, providing victims’ assistance services that were previously unavailable or of very poor quality, streamlining AGO/judicial proceedings and reducing caseloads, increasing access to justice through mediation and restorative justice; and treating crime victims and other justice-sector users with professionalism and dignity.

I. MORE EFFECTIVE AND COORDINATED CPC IMPLEMENTATION

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

Providing technical assistance and other support for inter-institutional aspects and coordination of successful implementation of the new CPC was a principal focus of the Program. Key results achieved by the Program in this area include: (1) definition and implementation of El Salvador's first Inter-Institutional Long-Term Strategic Plan (LTSP) for the Implementation of the CPC, improving the functioning of the criminal justice system; (2) over 1,700 justice operators trained in general and specific CPC related aspects; (3) regional inter-institutional coordination committees strengthened; (4) a National Crime Policy plan and methodology developed; and (5) a strengthened DPLA in the Supreme Court.

LTSP defined and implemented resulting in improved inter-institutional coordination successful CPC implementation:

During the Task Order execution period, the Program coordinated and collaborated extensively with the JSCC and the UTE in defining and effectuating the first Inter-Institutional Long-Term Strategic Plan in support of CPC implementation. This greatly improved inter-institutional coordination in the justice sector. Among other things, the LTSP included inter-institutional training, the drafting and implementation of operational protocols on specific topics, and the implementation of new case management models and systems. As a part of the LTSP process, the Program assisted the UTE in creating, organizing and providing technical assistance for the functioning of an Inter-Institutional CPC Implementation Committee (IIC), which included the following key sub-committees: Strategy, Communications and Dissemination, Organization and Planning, and Training. The Program actively supported the design and implementation of each of the sub-committee sub-plans making up the LTSP.

“Checchi has been a magnificent partner, always highly organized, professional, and responsive to the needs of the UTE and each justice-sector institution. More importantly, Checchi personnel share in our vision of what we can become and work effectively to make that vision a reality.”

David Cabezas, UTE Director

Working with the IIC, the Program assisted in the development of nine inter-institutional CPC implementation indicators and in the collection of compliance data to establish six-month and one year baselines. The JSCC approved these indicators to effectively measure advances in the criminal justice sector and in CPC implementation. The Program worked closely with the UTE and the IIC in both designing these indicators and in strengthening the UTE's capacity to monitor their compliance. In addition, the Program supported the UTE in developing/implementing a CPC monitoring and evaluation system, including such elements as a “balanced scorecard”, a set of mutually agreed upon inter-institutional indicators, and a user-friendly checklist regarding LTSP implementation advances. The “balanced scorecard” incorporated an approach to tracking, monitoring and analyzing the inter-institutional CPC indicators. Finally, in early 2012, the Program helped design and support the creation of the UTE's Statistics and Monitoring Department (SMD), assisting with the contracting, in April 2012, and training of the first SMD director, as well as the drafting of an action plan and operating regulations. Going forward, there are many expectations for the SMD, both within the UTE/JSCC and the larger justice sector.

To advance the dissemination of information and related activities regarding CPC implementation, the Program helped develop the CPC Communications and Dissemination Plan

of the IIC Communications Sub-Committee, pursuant to which the Program, among other things, sponsored workshops for 1,230 members of the press, various CSOs, universities, and staff from the UTE's Witness and Victims' Protection Program regarding the fundamentals of the CPC. In addition, the Program assisted the UTE in preparing an interactive CD of the new CPC and provided 2,000 copies to the UTE for distribution. Over 250 justice sector operators, CSOs, university representatives, law students, attorneys, and media representatives attended the successful CD launch event funded by the Program. The Program also provided over 10,000 printed copies of the CPC (included in a compilation of other key criminal justice laws) to the UTE for distribution to government institutions, non-governmental organizations (NGOs), universities, lawyer associations, and others. The Program also designed and printed 20,000 copies of the CPC police-action pocket guide to the UTE for distribution to police officers.

The Program, pursuant to the LTSP, assisted the UTE in preparing four protocols for justice sector institutions in order to enhance coordination among the institutions on key themes, improve access to accurate/objective information, and to improve service to users. The specific protocols developed included: (1) Protocol for the Inter-Institutional Sharing of Information; Protocol for the UTE Assessment of the Summary Process; (2) Protocol for the Development of a Judicial Research and Statistics Unit at the UTE; and (3) Protocol for the Proper Psychological Treatment in the DVIs/RCCs. Each of these protocols were approved by the UTE and presented to the corresponding institutions for implementation.

The Program carried out an extensive, highly detailed activity with the Planning and Strategy Sub-Committees to define a national, inter-institutional budget for the implementation of the CPC. A methodology was developed by determining key changes brought about by the CPC and key areas where inter-institutional coordination was required for its effective implementation. For the year 2012, this inter-institutional budget was not approved in full due to various political and economic development challenges faced by the GOES. However, several parts of it were taken into consideration in the 2012 budget process and it is hoped that for 2013 additional elements of the budget plan will be approved.

Over 1,700 justice operators trained in general and specific CPC related aspects: As a key part of the LTSP, the UTE and the Program, together with representatives and staff responsible for training in the AGO, PDO, Supreme Court, NCP, and the Ministry of Justice and Public Security, developed the CPC Inter-Institutional Training Plan. As part of this process, both a general course in the CPC as well as a specialized CPC training curriculum was defined and initiated. The specialized curriculum included instruction in the following areas: proof and evidentiary issues; interviewing techniques; investigation and oral trial skills; limitation of fundamental rights under the CPC; appeals and other resources; judicial administration focusing on the implementation of the Justice of the Peace Court Model; the efficient carrying out of summary and abbreviated proceedings under the CPC; and "judicial communication" and control of courtroom proceedings. Numerous trainers were prepared as part of a train-the-trainer initiative coordinated by the UTE. Based upon these efforts, for example, a total of 1,747 justice sector operators were trained at the national level in "Innovations of the New CPC," oral trial skills and appeals under the CPC. Many of these courses thereafter became part of the standard curriculum of the various justice sector training schools, including the Judicial Training School, the AGO Training School, the Police Academy, and the PGR Training School.

National Crime Policy plan and methodology developed: In addition, at the request of the UTE Director, the Program developed a detailed plan and methodology for the formulation of a

National Criminal Policy (NCP) for the criminal justice sector. This five-point plan included the following key provisions: conceptual design for the NCP; a comparative study of criminological theories and criminal policies; national and local criminal policy initiatives; design parameters for a comprehensive NCP; and the NCP definition methodology. The definition of the NCP is a logical next step to improve inter-institutional cooperation and guaranteeing a cohesiveness, unified vision in the criminal justice sector.

Regional CICS strengthened: The Program revived and provided extensive technical assistance to the regional Inter-Institutional Coordination and Follow-Up Committees (CICS) of the justice sector. The CICS, constituted of justice sector institution representatives at the local level, collect information from their respective regions as well as disseminate information, policies, and directives on both a national and regional level, especially concerning CPC monitoring and follow up. The four regional CICS are now fully functional and sustainable, with support to them being provided periodically by the UTE, and will be useful in the future for CPC related activities, such as the development of a National Crime Policy, future training, and CPC monitoring and evaluation.

Strengthened DPLA: The Program assisted the DPLA of the SC in re-defining their long-term strategic plan and in re-engineering several key institutional processes. Several bottlenecks, such as an inefficient, centralized case intake system for five different geographical areas, were identified and corrected (through a decentralization process). The indicators for the new DPLA processes and the accompanying monitoring plan were validated and approved during validation workshops for 60 national/regional (DPLA) leaders. The various re-engineered processes and monitoring plan were subsequently approved by the SC and are being implemented.

B. PERFORMANCE INDICATOR RESULTS

The Program generally met or exceeded all component indicator targets related to the UTE and inter-institutional aspects of CPC implementation, including the completion of more than 90% of the LTSP and the balanced score card analysis for CPC implementation. The approval of the consolidated budget, one of the stages on the UTE's CPC checklist, is an internal and highly political JSCC-GOES matter, and was still pending at Task Order completion. This notwithstanding, the Program helped prepare all the technical materials to support the eventual approval of the budget plan.

II. PROMOTING BETTER NCP AND AGO COOPERATION

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

An effective coordination between the AGO and the NCP, particularly regarding the carrying out of criminal investigations is crucial to the effective functioning of the accusatory criminal justice system. As such, the Program dedicated significant efforts to improve the level of cooperation between the AGO and NCP with regard to criminal investigations. Frequent changes in key counterparts (three Attorneys General, three Ministers of Justice and Public Security, and three Directors General of the NCP) during the Task Order period presented serious challenges and resulted in significant delays. This complex political climate required enormous flexibility on the part of the Program and our institutional partners. The key results achieved were: (1) the improvement of NCP/AGO/IML coordination through the definition, training in the use of and initial implementation of a unified MIP; and (2) the improved handling of evidence in criminal trials; and (3) improved investigations in targeted AGO/NCP elite units.

Improved coordination through the definition, training in the use of and initial implementation of the MIP: A principal achievement of the Program during the Task Order period was the development of the MIP through a participatory process that eventually took over two years, given its political and institutional complexity. Based entirely on the new CPC, the MIP was carefully crafted by AGO, NCP, IML, and Program experts as a comprehensive manual to define, standardize, and regulate inter-institutional roles, protocols, procedures, reporting requirements, and training in the field of criminal investigation. More specifically, the MIP detailed: the standardization of forensic evidence procedures and forms, protocols/procedures for each type of crime, crime-scene processing procedures, evidence handling and disposition of evidence, standardized reporting requirements, and joint training requirements. The Program printed and distributed over 7,500 copies of the MIP to key personnel from the AGO, NCP, PDO, Supreme Court, IML, and UTE. In coordination with the AGO Training School, five training workshops for MIP instruction and dissemination were carried out with Program support. A total of 180 AGO and NCP trainers were certified during the workshops. These trainers were responsible for providing MIP orientation courses to more than 2,500 NCP officers and throughout the AGO.

Improved handling of evidence: The Program also prepared, published and distributed 6,500 copies of the Summary Treatise of Guidelines on the CPC Laws of Evidence in accordance with the new CPC, to judges, prosecutors, public defenders, and NCP officials. The Treatise was specifically requested by judges and prosecutors as a “how-to” guide to help them effectively implement the required changes in the evidentiary system and was prepared in consultation with the SC, individual judges, prosecutors, public defenders, and police investigators. The Treatise was also presented to law school faculties to assist in training the future generation. The guidelines were received with much acclaim by judges and prosecutors alike and are being followed extensively.

Improved investigations in AGO/NCP Elite Units: The Program implemented the Intensive Case Theory Methodology (ICTM) in numerous AGO elite units, which virtually always had NCP investigators either physically present or directly assigned to them throughout the country, and who also participated in joint criminal investigation training processes. These included: the Anti-Corruption, Organized Crime, Homicide, Extortion, and Crimes Against Minors and Women Units (UCAMWs). All ICTM training events encouraged cooperation by establishing inter-agency working groups and other cross-pollination activities. The quality of investigations improved significantly in most of the units that received Program support.

Additionally, extensive mentoring and relevant training beyond the ICTM were provided to the UCAMW prosecutors and investigators from San Salvador, Soyapango, Mejicanos, Apopa and San Marcos during the Task Order period. This training/mentoring consisted of the following: rules of evidence, direct interrogation techniques, cross-examination, opening statements, and conclusions. Due in part to Program assistance directed at both AGO and NCP personnel in the UCAMW units, these units were some of the most effective cooperative groups in the country.

B. PERFORMANCE INDICATOR RESULTS

In FY2010, the Program obtained baseline data from the *Sistema de Control Electrónico de Expedientes* (SiCEE) system of the AGO for the period of October 1, 2009 through July 31, 2010. Since then, the AGO has experienced numerous difficulties in transitioning from the SiCEE to the *Sistema de Información y Gestión Automatizada del Proceso Fiscal* (SIGAP) case

tracking system. Consequently, delays in the implementation of the SIGAP impeded the Program from obtaining systematic and reliable statistical data documenting improvements in conviction rates as a result of better AGO/NCP coordination. However, empirical evidence and testimonials from the UCAMW units suggests that the Program efforts have contributed to improvements in AGO/NCP coordination and to an increase in conviction rates.

III. INCREASING THE EFFICIENCY OF THE ATTORNEY GENERAL'S OFFICE

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

During the Task Order period, the Program worked very effectively with the AGO to increase the efficiency of the institution. As cited previously, the Program's numerous accomplishments were realized in spite of significant turnover in AGO leadership. Key results in the AGO include: (1) the definition and implementation of the AGO's first CPP, an increase in institutional efficiency and utilization of resources; (2) improved and more efficient AGO operative and administrative procedures; (3) improved efficiency in criminal investigation due to creation and strengthening of the Criminal Analysis Unit (AGO-CAU); and (4) a strengthened AGO Training School.

"The positive and timely responses to all our requests are a testimony to the tremendous effort and expertise of the Checchi Program. I thank you with profound gratitude for answering our call. Checchi's efforts, and the spirit of cooperation demonstrated by your staff, have resulted in an improved AGO image and the effective execution of our duties in the investigation and prosecution of crime."

Romeo Benjamín Barahona, Attorney General

CPP defined and implemented: The Program assisted the AGO define and implement its first comprehensive CPP, as required by the new CPC, and an accompanying CPP Implementation Plan. As part of this process, the Program sponsored a national seminar and several regional workshops to disseminate the CPP. A key part of the CPP Implementation Plan, validated in June 2010, called for the design and implementation of AGO Rapid Response Units to more efficiently filter as well as resolve non-complex criminal cases in local AGO offices. Initially started as a pilot activity in Apopa and Mejicanos, the Program supported the AGO in eventually establishing a total of 12 RRUs throughout the country including: Apopa, Mejicanos, Santa Ana, San Miguel, Santa Tecla, Soyapango, La Libertad, Ahuachapán, La Unión, Cojutepeque, San Salvador, and San Francisco Gotera. In addition to logistical assistance in remodeling and the provision of minimal equipment in these offices, RRU prosecutors were provided two weeks of training in RRU operating procedures, as well as in the rapid/efficient analysis of cases, the application of alternatives to trial, basic oral trial skills (related primarily to summary proceedings), and mediation/conciliation skills. In addition, the Program developed a standardized manual that regulated the receipt of complaints and the functioning of the RRUs. The RRUs were ordered by the AG to be an integral part of every AGO office by the AGO and were very effective in their functioning, receiving excellent reviews from the both the AGO and the Judicial Branch. RRU implementation significantly impacted both the efficiency and image of the AGO. The Program helped to design and program a SIGAP module for tracking RRU data, and also carried out several studies regarding RRU performance.

Improved and more efficient AGO operative and administrative procedures: The Program assisted the AGO in defining and implementing improvements to three main sets of processes within the AGO: Defense of Societal Interests, Defense of the State (Criminal), and Defense of

the State (Civil). Additionally, the Program helped define AGO priorities for the re-engineering of processes and the making of organizational improvements in the following key areas: (1) supervision systems; (2) quality control; (3) control of the criminal investigation process; (4) evaluation systems (to measure and evaluate the efficiency of prosecutors); (5) user attention; and (6) linking the new automated case-tracking system to quality control, supervision, and case management.

The AGO Re-Engineering Working Group defined an extensive re-engineering work plan which included: incorporating new aspects of the CPC into existing AGO process mapping efforts; incorporating best practices in criminal investigation and case processing, including case filtering and rapid resolution; and incorporating joint case theory development and team investigation methodologies into case handling and resolution strategies and processes. All of these aspects of AGO functioning were heavily promoted and supported by the Program. Additionally, the Program assisted the Re-Engineering Working Group in defining measurement instruments and collecting information regarding prosecutor case loads.

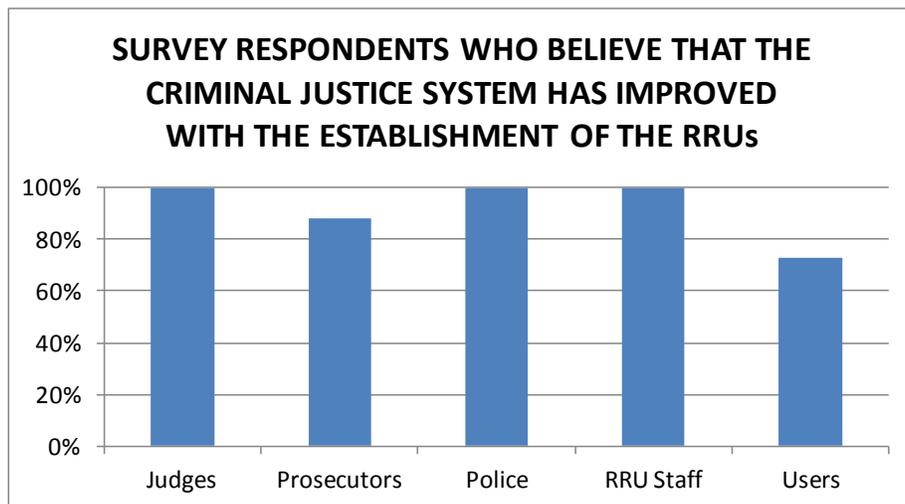
A total of 945 administrative and operational processes were re-engineered with Program assistance in the AGO. These included human resource, financial, and administrative processes, as well as operative case handling processes related to conducting hearings, trials, appeals, and requirements for prosecutors. Internal procedures and quality control manuals based on standards from the International Organization for Standardization (ISO) were also prepared and presented to the AGO. The full implementation of several key re-engineered processes could not be concluded inasmuch as the AGO case-tracking system, the SIGAP (the designated key instrument for documenting compliance with the new processes), was only minimally functional in 19 AGO offices nationally. In addition, prosecutors have not fully embraced SIGAP, claiming it is time consuming and cumbersome, and resistance to its use has been strong. To date, very few prosecutors are entering the required information, resulting in incomplete and unreliable data. The deficiencies with SIGAP implementation, which has been a local effort outside the scope of the Task Order, negatively affected the Program's abilities to collect key performance indicator data.

Improved efficiency in criminal investigation due to the creation of the Criminal Analysis Unit (AGO-CAU): As part of the re-engineering process in the AGO, 12 prosecutor analysts were selected to work in the newly created AGO-CAU, six of whom provide broad-based criminal analysis services, and six who provide case-specific analysis as a service to individual prosecutors. The AGO-CAU provides general and case specific assistance to prosecutors investigating and resolving cases and in identifying crime trends, which are particularly important for resolving complex, multi-defendant cases and cases involving organized crime. In addition, the Program trained the AGO-CAU prosecutors in case analysis skills and prepared a policy and procedure manual for the Unit. As a considerable investment, the Program also provided AGO-CAU personnel with several i2 criminal analysis software ("Analyst Notebook") packages and specialized training to establish critical investigative linkages. The Program also provided detailed mentoring and monitoring support to the unit throughout the Task Order period.

AGO Training School strengthened: The vast majority of Program-sponsored training activities involving prosecutors was undertaken in close coordination with the AGO Training School, using a "training of trainers" approach and a strategy that included the development of detailed case modules, thus leaving that entity with substantial installed capacity to carry out the

trainings on its own. Another highly significant Program contribution was the construction/establishment of the moot-court trial room at the AGO Training School. This facility, unique to the AGO, was met with high praise in the justice community. According to operators, the facility significantly improved AGO effectiveness and efficiency through practical-training exercises.

With Program support and working through the AGO Training School, 28 AGO managers, including most of the District Attorneys of AGO local offices, participated in the highly acclaimed “Leadership & Organizational Change” course at the *Escuela Superior de Economía y Negocios* (ESEN). This course, originally developed by the Program for NCP officials, was adapted for AGO leaders. According to the participants, they learned numerous practical management-improvement strategies with “obvious applications in the work place.”

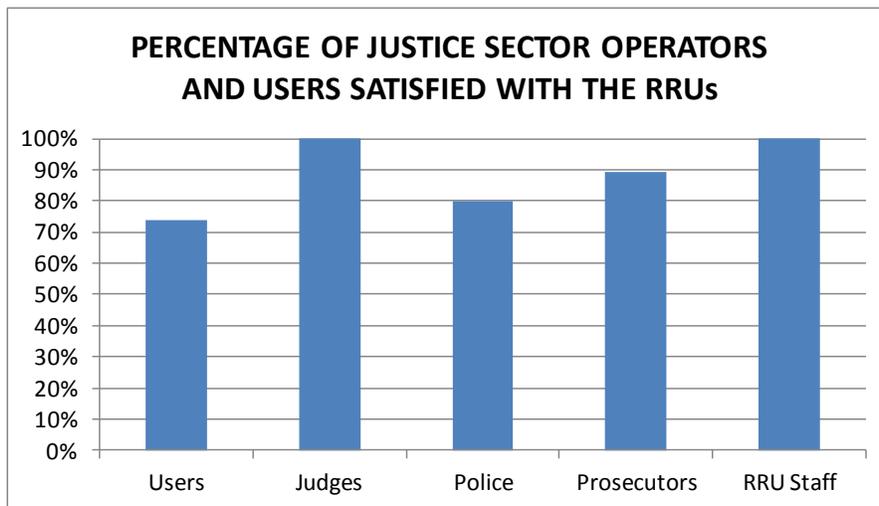


B. PERFORMANCE INDICATOR RESULTS

As evidenced by the following key performance indicators, the Program was also extremely effective in executing the AGO component. The number of re-engineered processes significantly exceeded the stated life of Program goal by 345 processes (600 stated, 945 actual). More importantly, the re-engineering initiative had a dramatic impact on the AGO, resulting in the creation of 12 RRUs and the AGO-CAU. During the Task Order period the RRUs handled more than 20,000 cases. A monitoring and evaluation study of a random sample of RRUs concluded that the total number of alternatives to trial applied or procured through the RRUs since their inception represents more than 40% of the total number of cases handled by the RRUs, exceeding the indicator target by 33%. In addition, the Program tracked the average length of time it takes an RRU to resolve summary procedure cases. Data analysis of summary procedure cases showed that the average length of time to resolve a summary proceeding case referred to the RRU was 39 days, exceeding the Performance Monitoring Plan (PMP) target. Similarly, data obtained by the Program indicate that 100% of the summary proceeding cases reviewed by the study were resolved within the CPC time frames for summary proceedings, which surpasses the PMP target.

The Program also exceeded the estimated targets concerning perception and satisfaction with the RRUs. Two surveys conducted by Analitika Research & Marketing during FY2011 and FY2012 determined that 92% of justice sector operators and 73.8% of external users were satisfied with

the functioning of the RRUs; 96% of justice sector operators and 73.1% of external users believed that the criminal justice system had improved with the establishment of the RRUs. In addition, the surveys indicate that 82% of the justice sector operators interviewed indicated that the RRUs were meeting their objectives by solving cases in an expedited manner and decongesting the justice system.



Finally, the number of cases analyzed by the AGO-CAU during the life of the Program was 43, just shy of meeting the target of 50. Similarly, a total of 22 cases analyzed by the AGO-CAU resulted in an accusation being formally filed, which falls short of the PMP target by three cases. However, it should be noted that due to the complexity of the cases assigned to the AGO-CAU, formal accusations often take more than one year to be filed.

IV. STRENGTHENING THE NATIONAL CIVILIAN POLICE

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

The Program had remarkable success in all of its work with the NCP, notwithstanding frequent and significant leadership changes in the relevant GOES institutions during the Task Order period (turnover resulted in three Ministers of Justice and Public Security and three Directors General of the NCP during the four-year Program). Key results of the Program in the NCP include: (1) the first comprehensive NCP institutional assessment and long-term strategic plan defined and implemented; (2) productivity increases due to re-engineered procedures and organizational efficiencies; (3) a cadre of well-trained and motivated NCP officers who serve as champions of reform; and (4) increased public confidence and reduction of crime levels in targeted communities due to implementation of Community Policing Model (CPM).

“Checchi’s work with the NCP has been a unique experience of effective coordination and cooperation. Checchi’s program is precisely focused to meet the needs of the NCP. The institutional assessment and leadership training activities that are underway are helping us to identify our key deficiencies and to assume ownership of their solution. These efforts are also bearing fruit by assisting us in consolidating our institutional vision, mission, and strategic planning.”

Tobar Prieto, NCP Director General

First ever comprehensive institutional assessment and NCP long-term strategic plan defined: In the first year of the Task Order, the Program helped create and then initiated

workshops with the NCP Organizational Assessment Working Committee (OAWC) to assist in conducting an extensive overall assessment of the NCP management systems and structures. Completed in June 2009, this institutional assessment documented the following key conclusions: a marked lack of systematization and standardization of case handling procedures by investigators and of administrative procedures by managers; an insufficient focus on NCP users and the public in general; an excessively high level of fragmentation and specialization that limited organizational flexibility in responding to citizen's needs; insufficient coordination between the police intelligence units and the operative units; widespread non-compliance with the established Police Career Plan; weak systems and lack of criteria for distributing cases to investigators; a lack of operational manuals and procedures to assist investigators in their work; and uneven and disparate organizational structures in NCP offices (e.g., redundant roles and responsibilities between the Personnel Unit functioning within the Administration and Finance Sub-directorate and the Tribunal for Advancement; weak administrative structure and unclear responsibilities in the Planning Division; and differences between the Directorate of Investigations (DOI) and the Sub-directorate of Public Security in terms of salary compensation and workload). Based upon the results of this assessment, the NCP leadership team with Program support outlined key priorities to pursue throughout the Task Order execution period and defined an institutional long-term strategic plan, the first ever in the NCP. This five-year plan, covering the period from January 2009 to December 2014, was several months in the making and addressed numerous organizational deficiencies that were presented in the institutional assessment. It also served as a guide for Program support for the NCP.

Productivity increases due to re-engineered procedures and organizational efficiencies: In June 2010, the NCP Director General and Sub-Director General formally approved the new Criminal Investigative System (CIS) of the NCP, as well as the reorganization of the Sub-Directorate of Investigations (SIN), which were developed with extensive Program assistance. The CIS effectively extended the best investigative practices to all the NCP delegations and sub-delegations. These best practices included: the standardization of investigative procedures countrywide; the equitable distribution of advanced training and equipment/logistical support; and the equitable assignment of supervisory investigators countrywide. The reorganization of the SIN focused on: the reorganization of the central and departmental investigative units, technological modernization, and inter-institutional/international coordination; the strengthening of its professional development and training functions, and improving criminal investigation processes through, among other things, the development of the MIP. Additionally, the design of improved incentive and promotion systems for investigative personnel was completed with Checchi technical assistance. These reforms included: the creation of specific categories/specialties for investigators, comprehensive job descriptions by assignment for investigators; detailed entry and promotion requirements for investigators; and improved promotion mechanisms.

Due to large-scale changes in early 2012 in key leadership positions in the Ministry of Justice and Public Security and the NCP, some aspects of the CIS implementation and the SIN reorganization were delayed. In light of these developments, the Program outlined the route forward to assist in the full implementation of the approved plan, "*Plan de Desarrollo y Fortalecimiento de la SIN, Periodo 2012-2014*". This exhaustive development plan, which won the tentative approval of the current DG, emphasized the proper resourcing of investigative personnel and equipment to achieve full investigative functionality in all 22 NCP delegations.

In addition to the CIS strengthening and mentoring activities mentioned above, the Program conducted detailed analysis and helped prepare numerous reports to assist in the re-engineering efforts. A total of 24 official documents (plans, directives, models, and manuals) were prepared with Program assistance during the Task Order period in support of the SIN reorganization and CIS implementation. The Program also assisted in reengineering a total of 1,017 DOI processes during the Task Order execution period.

In addition to technical assistance in the preparation of the MIP, the Program provided technical assistance in preparing two separate volumes of investigative standards and procedures specific to the NCP. Over 6,000 copies of these volumes were published and distributed to 3,000 police investigators and crime scene personnel.

The Program also provided extensive technical assistance to improving the procedures and efficiency of the Technical Council, Planning Division, Personnel Division, Inspector General's Office, and the Community Policing Unit during the Task Order period. The most notable technical assistance provided is outlined as follows: (1) Inspector General Office – the preparation of the Internal Affairs Organizational Manual, the Internal Affairs Procedures Manual, and the Internal Affairs Position/Job Description Manual; (2) Technical Council/Promotions Board – the development and validation of the NCP Career Development Plan for all operational personnel; (3) Planning Unit – the implementation/monitoring of the NCP Five-Year Strategic Plan, the revision of unit protocols, and the insertion of unit personnel in all institutional committees; (4) Personnel Division – the modernization/restructuring of personnel functions and the revision of Division responsibilities and protocols relative to the *Academia Nacional de Seguridad Pública* (ANSP) and the NCP Career Development Plan; and, (5) Community Policing Unit – the validation and publication of the CP manual and support for the implementation of the CPM in 13 communities.

A cadre of well-trained and motivated NCP officers who serve as champions of reform: Through the successful and innovative “Leadership and Organizational Change” (LOC) diploma course, Checchi created a cadre of reform champions, who were key to many of the other successes of the Program, including the implementation and expansion of the Community Policing Model. Partnering with the ESEN, a four-week course was designed and implemented for NCP mid-level officials. The course was taught jointly by ESEN faculty and Program consultants, focusing on critical topics such as: teamwork and leadership; team building for confronting change; improving interpersonal/motivational skills; leadership in law enforcement; strategic management; creative problem solving; and the development and implementation of specific change plans. Many of the organizational weaknesses and deficiencies detected in the aforementioned institutional assessment were assigned as “tasks” to the course participants. Working in small groups, participants developed proposals and implementation plans to address these deficiencies within the institution as a whole and/or within their specific work units. Once the initial course was completed, participants were provided with follow-up mentoring to assist them in implementing their plans. During the Task Order execution period, the Program sponsored 206 mid-level officials in the LOC course. In January 2011, in order to better reflect new NCP priorities, the course title and content were changed to “Leadership and Community Policing”. A total of 89 NCP mid-level officials graduated from the new diploma course, bringing the total number of participants to 295.

Increased public confidence and reduction of crime levels in targeted communities due to implementation of Community Policing Model (CPM). The Program-sponsored CPM roll out

was successfully completed in all 13 communities designated by NCP, USAID, and the Program: Nahuizalco, Sonsonate, Quezaltepeque, Panchimalco, San Marcos, Ciudad Delgado, Mejicanos, Sesuntepeque, San Francisco Gotera, San Vicente, Cojutepeque, Chalatenango, and Atiquizaya. A total of 3,298 NCP officers received the basic Community Policing (CP) training during the Task Order period. This basic, two-week training course included the following instruction components: community policing philosophy, responsiveness to community needs, operational planning with a community-policing focus, securing community support, conflict resolution, human rights, supervisory and follow-up mechanisms, intensive practical training, and program mentoring. The instruction was provided and supervised by three NCP Chief Inspectors that were lent to the Program by the DG. Additional instruction was provided by designated CP trainers from the NCP CP Unit. This same course was adopted by both the NCP and ANSP to ensure consistency in all CP training. In addition, with Program support, 20,000 copies of the NCP Community Policing Manual were published and distributed to police officers in accordance with the CP roll-out plan.

The Program donated a basic equipment package (desktop computer, laptop, printer, multi-media projector, and screen) to each of the five pilot delegations/sub-delegations (Nahuizalco, Sonsonate, Quezaltepeque, San Marcos, and Panchimalco), to establish analytical and crime observatory capabilities in each community. By prior agreement, the Bureau of International Narcotics and Law Enforcement Affairs (INL) also provided assistance by donating Analyst Notebook (i2) software to each pilot center (valued at \$50,000).

The Program made excellent progress during the Task Order period, effectively establishing and/or strengthening municipal councils, crime/violence prevention committees, and community working groups in each CPM location. These efforts were spearheaded by three civil society and team-building experts contracted by the Program. Crime Prevention/Security Enforcement Action Plans (CPSEAPs) specific to each community were completed in Nahuizalco, Quezaltepeque, San Marcos, Panchimalco, Ciudad Delgado, Sesuntepeque, Atiquizaya, and San Francisco Gotera. The CPSEAPs in the remaining communities were partially completed. Numerous workshops and mentoring sessions were conducted by the Program for council/committee members during the Task Order period, with a total of 2,773 participants. The Program also monitored and consulted with community leaders regarding necessary CPSEAP updates. Separate evaluation conferences were held in Panchimalco, Quezaltepeque, and Nahuizalco to monitor progress in each community and to identify recommendations for improvement. Specific successes of the CPM cited by conference participants were: “enhanced perception of the police in their community,” an “improved security situation” in their communities, “better local accountability on part of the police,” and satisfaction that “citizen concerns were consistently being heard by both the police and other local officials.” Conference participants also pressed for a greater commitment from NCP command-level officials in support of the CPM.

The Program provided each CP roll out delegation with pamphlets to be distributed to the public by CP officers. In addition, as part of the CPSEAP, each community defined how to best advertise the initiative to increase public awareness of CP efforts. Promotional efforts varied during the period, including numerous public gatherings, forums, cultural events, and symposia.

The Program assisted the NCP in carrying out school and community outreach activities in each of the CPM communities throughout the Task Order period. These activities included vocational fairs, cultural festivals, theatrical events, and police-led discussions. Over 13,625 students,

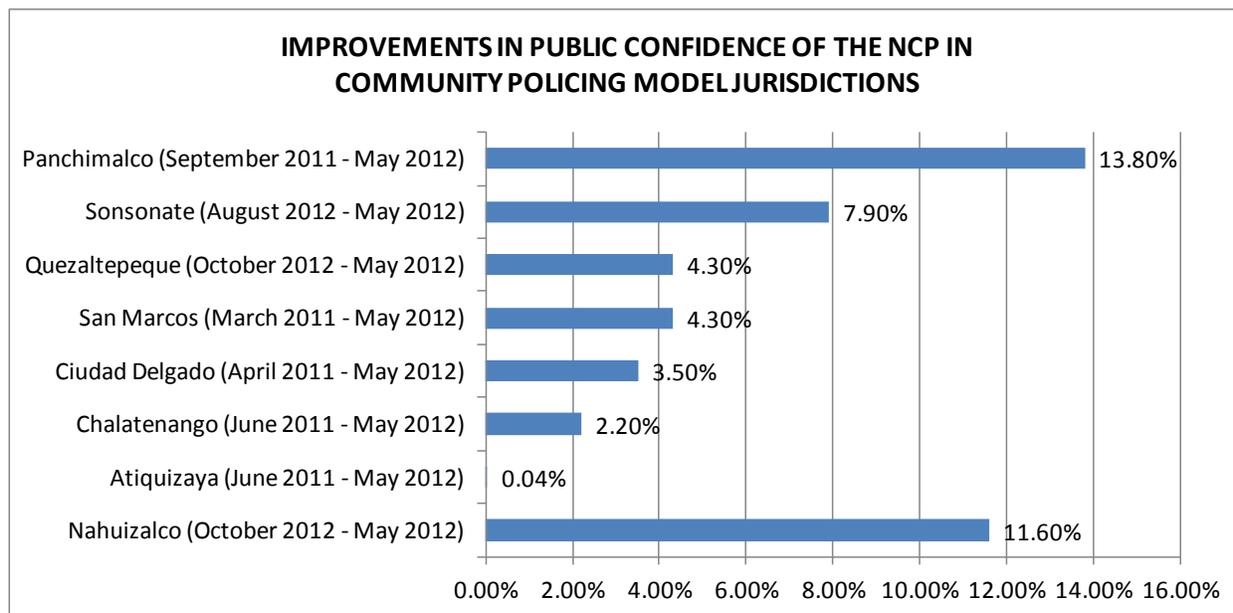
teachers, parents, and community members participated in these outreach events. In Panchimalco, the Program, NCP, and local school officials developed and implemented an after-school vocational and entrepreneurial program for public school students. This initiative generated much excitement in the participating schools and community, wherein students, teachers, and CP officers worked to develop sustainable small businesses with very little seed money provided by the Program. The idea for the initiative was presented by community leaders during the CPSEAP definition process. This initiative shows great promise for other locations and should be strongly considered for future CPM application (as evidenced by dramatic improvements in measured public perception and crime reduction, see below).

The CSO *Asociación de Mujeres Salvadoreñas* (AMS) was awarded a small grant to work with police and community leaders in Ciudad Delgado and Mejicanos. Through this grant, NCP officers, students, parents, and school personnel received instruction in: relationship-strengthening techniques, the detection/countering of intra-familial violence, and the deterrence of juvenile and gender violence in school settings. A two-month certificate course, “Gender & Social Violence Prevention,” was developed by AMS under this grant. A total of 124 CP officers graduated from the certificate course.

Public perception of and confidence in the NCP improved significantly as a result of CPM implementation in targeted communities. Baseline surveys were conducted in all CPM locations and several control communities as part of the initial assessment process, as well as to measure public perception of the police. One-year, follow-up surveys were conducted in eight of the CPM locations. These surveys, conducted by Analitika Research & Marketing, demonstrated an average 6% overall increase in public perception towards the work of the NCP, specifically: Nahuizalco, an 11.6% increase from October 2010 to May 2012; Atiquizaya, a .04% increase from June 2011 to May 2012; Chalatenango, a 2.2% increase from June 2011 to May 2012; Ciudad Delgado, a 3.5% increase from April 2011 to May 2012; San Marcos, a 4.3% increase from March 2011 to May 2012; Quezaltepeque, a 4.3% from October 2010 to May 2012; Sonsonate, a 7.9% increase from August 2010 to May 2012; and Panchimalco, a 13.8% increase from September 2011 to May 2012. Even though all CPM communities trended up in public perception, it should be noted that the two locations with the double digit increases, Nahuizalco and Panchimalco, were the two communities where extraordinary partnerships were forged with the public schools; Panchimalco with the pilot vocational and entrepreneurial programs, and Nahuizalco, with the combined USAID efforts of Checchi, Research Triangle Institute (RTI), and Creative Associates. It should also be noted that gauging public perception locally on security matters is difficult since all available press (print, radio, and television) is national or regional. Reports of disturbing violence in a neighboring city, or even nationally, may taint public perceptions locally no matter how carefully a survey question is crafted.

Perhaps a more conclusive measurement of CPM successes, crime indices results for homicides and robberies through June 30, 2012 were very encouraging, with an overall decline of 17% in homicides, and 7% in robberies in targeted communities since implementation of the CPM. Overall, 10 of the 13 CPM communities (77%) demonstrated a reduction in homicides, and 8 of the 13 (62%) demonstrated a reduction of robberies. Of special interest, Nahuizalco (previously listed among the 25 most violent communities by the GOES) experienced no homicides for two years in a row (since CPM implementation). Similarly, San Marcos (-31%), Cojutepeque (-33%), Sensuntepeque (-35%), Atiquizaya (-43%), and Sonsonate (-62%) showed dramatic decreases in

homicides. Finally, the indices also reflected an overall increase in crime reporting of 13% in the Program's CPM communities (indicative of increased confidence in the NCP).



B. PERFORMANCE INDICATOR RESULTS

As described above in more detail, the Program exceeded all performance targets in the NCP component, such as an overall increase in public perception of the NCP in CPM communities, as well as an impressive reduction of selected violent crimes in CPM communities. In addition, the total number of re-engineered processes and procedures in the five designated NCP divisions/units was 1,882, specifically: the Inspector General Division (135), the Planning Unit (483), the Personnel (Professional Development) Unit (665), the Promotions Board (427), and the Community Policing Unit (172). When added to the 1,017 DOI reengineered processes mentioned previously, the total number of NCP re-engineered processes/procedures for the Task Order execution period is 2,889, far exceeding the original target of 1,000 processes/procedures.

Human rights training and monitoring was included in all CPM instruction/mentoring supported by the Program. During the Task Order period, human rights training/monitoring were conducted for 3,298 NCP officers in the 13 CPM locations. The Program monitored the training impact through the Internal Control Unit of the NCP Inspector General's Office. As of July 2012, there were no reports of violations by Program-trained NCP officers.

V. INCREASING THE ROLE OF CIVIL SOCIETY IN ENSURING JUSTICE SECTOR ACCOUNTABILITY

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

Civil society must play an increasingly important role in ensuring accountability and transparency in the justice sector in El Salvador. Checchi successfully supported this important civil society function throughout Program execution. Key results achieved include: (1) increased participation of civil society in providing services and increasing accountability in domestic and sexual violence cases; (2) Criminal Justice Observatory created and strengthened; (3) increased participation of CSOs in providing alternatives to incarceration for youth offenders and in

strengthening ISNA; and (4) increased participation of CSOs in monitoring performance and improving accountability of the NCP in CPM targeted communities.

Increased participation of CSOs in providing services and in increasing GOES accountability and efficiency in processing domestic and sexual violence cases: The Program supported and coordinated the work of approximately 42 NGOs at the Soyapango, Ciudad Delgado, San Salvador, and Santa Tecla DVIs/RCCs, as well as through periodic workshops with the Domestic Violence Working Group (DVWG). The Program worked with the AMS in Ciudad Delgado, *SENDAS/Asociación Déjame Ayudarte* in San Salvador, and *Fundación la Niñez Primero* (FUNIPRI) in Soyapango, Ciudad Delgado and San Salvador. The Program also contracted with FUNIPRI to provide attention to children and adolescents through the establishment of seven *ludotecas* at the DVIs of Soyapango, Ciudad Delgado, San Salvador and ISDEMU; as well as the *ludoteca* at the *Derecho Privado y Social* Integrated Justice Center (IJC) of San Salvador and the *ludoteca* at the PGR of San Salvador. In the juvenile and restorative justice areas, the Program formed critical partnerships with the following CSOs: *Proyecto Nehemías*, *Servicio Social Pasionista*, *Asociación Equipo Nahual*, and *Confraternidad Carcelaria*. The direct participation of these CSOs in justice sector activities, funded by the Program, significantly impacted the accountability and effectiveness of the participating GOES institutions in providing improved services to victims of domestic and sexual violence.

Criminal Justice Observatory created and strengthened: In 2009, the Program helped establish the CJO, a multi-CSO effort involving the *Universidad Centroamericana José Simeón Cañas* (UCA) *Instituto de Derechos Humanos* (IDHUCA), *Universidad Matías Delgado* and *Tutela Legal*, as a civil society-based instance to, among other things, provide ongoing monitoring and evaluation of the criminal justice sector, its institutions, and the effectiveness of CPC implementation. Among other things, the Program assisted the CJO in developing data collection methodologies, designing action plans and improving decision-making.

The Program, through financial and logistical support to the IDHUCA and other technical support, supported the work of the CJO in conducting both six-month and one-year evaluations of the impact of the CPC, as well as monitoring 28 separate indicators regarding the criminal justice system. With such assistance, the CJO designed and conducted the investigative studies. The six-month study of the CPC focused particularly on the application of the summary process, while the one-year study focused more on the “ordinary” process in the Judicial Branch criminal jurisdiction in San Salvador. In July 2012, the CJO presented its final monitoring report, entitled “*Eficacia del Sistema de Justicia Penal, Análisis de Resultados Procesos Ordinarios Juzgados Primero, Tercero Y Quinto de Sentencia del Departamento de San Salvador, Febrero 2012*”, in a formal presentation at the UCA. Among other findings, the CJO report detailed several key measurements, such as: the number of first time and repeat offenders disaggregated by crime committed, most frequent crimes committed (homicide, robbery, and illicit trafficking), the speed in which cases were formally presented after the initial report (70% within the first month), sentencing outcomes (52% convictions/40% absolutions), and the number of sentences pronounced disaggregated by punishment imposed and types of crime. Given the extreme difficulty in gathering the data for this analysis, the report conclusions called for the establishment of a systemized reporting requirement and mechanism to be implemented throughout the Court structure. The CJO analysis and subsequent reports helped to ensure greater accountability as they were presented in open forums.

Increased participation of CSOs in providing alternatives to incarceration for youth offenders and in strengthening ISNA: Though its Small Grants Program, Checchi greatly increased the participation of CSOs providing community-based alternatives to incarceration to youths convicted of or facing the possibility of conviction for criminal offenses. These services included educational programs as well as community service programs. CSOs receiving grants to undertake these activities include: *Servicio Social Pasionista*; *Equipo Nahual*; *Confraternidad Carcelaria*; and *Proyecto Nehemías*. CSO partners working on these activities also greatly increased their coordination with ISNA, by agreeing to be subject to the supervision of the GOES institute charged with administrating, among other things, the youth incarceration system as well as criminal sentences served in the community. This increased coordination with ISNA also led to extensive involvement of these (and other CSOs) in the defining and implementing of several instruments to increase efficiency and transparency in ISNA's supervision of community-based programs.

Increased participation of CSOs in monitoring performance and improving accountability of the NCP in CPM targeted communities: As part of CPM implementation (detailed in the last section), the NCP, CSOs, and other community representatives were intricately involved in the preparation of community-security assessments and action plans during the Task Order period. Community representatives were provided with localized, crime-statistic information by the crime analysis units/observatories established by the Program in each CPM community. These assessments and crime-statistic results, working through the community representatives, were shared with the community prevention committees and municipal councils on a monthly basis. NCP officials were held accountable by the community in these meetings and action plans were adjusted, as appropriate. In addition, as detailed previously, a small grant awarded to AMS for work in Mejicanos and Ciudad Delgado served to increase the accountability of NCP officers in dealing with juvenile violence in schools and domestic/gender violence incidents.

B. PERFORMANCE INDICATOR RESULTS

Primarily through its work with and support for the CJO, the Program significantly exceeded the indicator targets for this component during the Task Order period, as a total of 28 indicators were monitored as opposed to the stated Program target of 15. In total, the Program worked with over 150 local legal associations and CSOs. The vast majority of these organizations were part of the community policing and domestic/sexual violence activities sponsored by the Program.

VI. INCREASING THE USE OF SCIENTIFIC EVIDENCE

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

The key to the effective functioning of an accusatorial criminal justice system is to rely more on scientific, forensic and objective physical evidence as opposed to confessions and other testimonial evidence, which are often more subjective and substantially more subject to abuse. The Program worked extensively with key counterparts, namely the Court and its IML, the AGO, and the NCP and its laboratory, during the Task Order period to increase the use of scientific evidence in prosecutorial and judicial proceedings. Once again, political considerations and frequent changes in key leadership positions directly affected the Program's efforts. However, in spite of these obstacles, the Program was able to make excellent progress and exceed the stated goals/indicators. Key Program results in this area include: (1) the strengthening of the IML and the *División de Policía Técnica Científica* (DPTC); and (2) improved inter-

institutional procedures; and (3) improved institutional capacity regarding the collection, processing and strategic use of scientific evidence in judicial proceedings.

The IML and the DPTC strengthened in capacity to carry out their functions: The Program originally presented its strategy in its work plan to strengthen the use of scientific evidence under the presumption that the National Assembly would eliminate the existing IML and NCP DPTC and create a new Forensic Sciences Institute (FSI). However, after significant deliberation, the National Assembly opted not to create the FSI but to attempt to reform and strengthen the IML and DPTC instead. Accordingly, the Program developed a new plan with the Supreme Court and the NCP to strengthen their existing forensic and technical laboratory functions as well as their institutional attributes.

Working with a Supreme Court/IML working group, the Program helped to develop a reorganization plan, including the preparation of an LTSP and the eventual certification of the laboratory under ISO 17,025:2005 crime labs norms. In October 2011, the LTSP, produced with extensive Program assistance, was validated and approved by the IML Directive Council and the SC. An IML institutional-strengthening design and action plan were also later approved. The re-engineering of IML procedures/processes, including the decentralization and streamlining of several functions, was then initiated and numerous workshops and assessments were conducted with IML personnel to reach agreement on processes and procedures.

In June 2012, the Program completed the assessment of the IML Forensic Biology and Forensic Chemistry Laboratories, as part of the ISO 17,025 certification process. Among other findings, the assessment determined the Forensic Biology and Forensic Chemistry Labs were in compliance with 55% of the international standards. Specifically, the Forensic Biology Lab complied with 49% of the administrative standards and 81% of the technical standards. The Forensic Chemistry Lab complied with 32% of the administrative standards and 59% of the technical standards. The assessment also recommended an implementation plan with several benchmarks to allow the laboratories to come into full compliance. The benchmarks primarily emphasized the need to acquire additional resources (human, financial, and technical). The SC has agreed to support the ISO 17,025 certification process, although some outside assistance will be required to complete it.

The reengineering of applicable and principal IML processes and protocols was also completed in June 2012. The re-engineering plan and process manual were presented to the IML Directive Council for final approval and implementation. This plan outlined the key processes and sub-processes for seven laboratories and functional areas, specifically: IML general, Clinical Forensics, Forensic Pathology, Forensic Biology, Forensic Chemistry, Forensic Behavioral Sciences, and Academics/Statistics. The plan also presented indicators and corresponding monitoring and evaluation criteria. A total of 158 IML processes were reengineered by the Program, as follows: Clinical Forensics Department (25), Forensic Pathology Department (13), Behavioral Sciences Department (70), Forensic Biology Department (39), and Chemical Forensics Department (11).

DPTC strengthening was included as part of the NCP-DOI reorganization and decentralization efforts, as outlined in Section IV. The Program's DPTC strengthening activities were highlighted by the development of an LTSP in March 2010, to include an equipment-procurement strategy and proposal. This was the first LTSP ever produced internally by the DPTC and/or NCP. It was

well received by the NCP Director General and Ministry of Justice/Public Security officials, especially given that it provided the framework for much-needed staffing and budget improvements (previously addressed in an unsystematic fashion). The plan was approved by the Minister of Justice and Public Security and forwarded to the President's office in an effort to secure financial support. As a result of this effort, the GOES procured 44 additional vehicles for DPTC investigators and crime-scene processors throughout the country. This was a major victory for the NCP.

Improved inter-institutional procedures and standards regarding scientific and forensic evidence: As detailed in Section II above, a principal achievement during the Task Order period was the development of the MIP. Based entirely on the new CPC, the MIP was carefully crafted by AGO, NCP, IML, and Program experts as a comprehensive manual to define and regulate inter-institutional roles, protocols, procedures, reporting requirements, and training. More specifically, the MIP detailed: the standardization of forensic evidence procedures and forms, protocols/procedures for each type of crime, crime-scene processing procedures, evidence handling and disposition of evidence, standardized reporting requirements, and joint training requirements.

Improved institutional capacity regarding the collection, processing and strategic use of scientific evidence in judicial proceedings: The Program printed and distributed over 7,500 copies of the MIP to key personnel from the AGO, NCP, PDO, Supreme Court, IML, and the UTE, and through the AGO Training School, conducted five training workshops for MIP instruction and dissemination. A total of 180 AGO and NCP trainers were certified during the workshops. These trainers were responsible for conducting MIP orientation and scientific-evidence courses to more than 2,500 NCP officers and throughout the AGO. Additionally, Checchi worked extensively with prosecutors and NCP investigators in targeted elite units, such as the Homicide Divisions in San Salvador and elsewhere, in the use of the intensive case theory methodology of criminal investigation, which focuses extensively on the collection and use of scientific and physical evidence.

Numerous other training events were conducted during the Task Order period to disseminate the MIP and to improve forensic/scientific evidence collection, handling and/or utilization skills and abilities of justice sector operators and technicians. For example, the Program sponsored chain of custody workshops to familiarize prosecutors and NCP investigators with the requirements of the new CPC related to evidence handling and processing. The workshops were held regionally (Santa Ana, San Miguel, and San Salvador) to maximize participation. A total of 950 DPTC crime scene technicians/NCP investigators and prosecutors participated in the workshops. Additional forensic and evidence handling/storage training was conducted for over 220 judges, prosecutors, technicians, and public defenders. Additional work will be required to fully implement the MIP and monitor its use.

B. PERFORMANCE INDICATOR RESULTS

Given continued deficiencies with the AGO's SIGAP case tracking system during the implementation period, the Program utilized data provided by the *Centro de Documentación Judicial* of the Judicial Branch to monitor performance. This effort showed an increase in the use of scientific evidence in judicial proceedings by 4% during the Task Order period, in comparison to the stated goal of 3%. In addition, data demonstrate that convictions increased by 10% in cases where scientific evidence was utilized. Realizing that this is an important element in

implementing the CPC, the IIC chose to include a similar indicator as one of the nine initial inter-institutional indicators related to the LTSP.

VII. INCREASING COVERAGE OF THE PUBLIC DEFENDER'S OFFICE (PDO) OF THE PGR

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

The PDO is a key actor in the accusatory criminal justice system, and as a primary party to most criminal cases, should, in an ideal situation, enjoy similar resource levels as AGO prosecutors do. As in most other countries in the region, however, the PDO, which organically is part of the PGR, is severely under-funded and under-resourced compared to the AGO. During the Task Order period, the Program assisted the PDO in trying to close this gap and increase its coverage and efficiency to be able to meet its responsibilities under the new CPC. Key results in the PDO include: (1) increased PDO effective coverage and case processing efficiency at the national level; (2) improved PDO representation in the sentence executing stage; (3) PDO Investigation Unit created and strengthened, and (4) PGR Training School created and strengthened.

Increased PDO effective coverage and case processing efficiency at the national level: The new CPC requires the PDO to provide public defenders in all municipal-level Justice of the Peace Courts for the vast majority of summary proceedings (including the summary trials). Furthermore, the PDO must continue to provide legal representation to defendants in “ordinary” criminal proceedings, both in the initial hearings before justices of the peace and in the first instance and criminal courts. In light of the severely deficient financing levels in the PDO, Checchi therefore assisted the PDO in designing and executing a strategy to increase its effective national coverage in anticipation of the new CPC and meeting these heavy new responsibilities. This strategy had several components, including: (1) seeking increased budget amounts to hire new public defenders, (2) seeking additional budget resources to hire administrators to free up public defenders from administrative work; (3) strengthening the use of student intern programs; and (4) improving the efficiency of case assignment, distribution, reporting, and other procedures and mechanisms to maximize limited human resource levels.

In an effort to increase the efficiency of the PDO, the Program provided assistance in designing and programming a software application to receive, register, and deliver judicial and other notifications and appointments to the public defenders through the local network, and use them to feed a common agenda system to, among other things, avoid scheduling conflicts and maximize the human resources capacity of the PDO. Given that the new system relies on the *Sistema Informatizado de Gestión* (SIG) case tracking system database, which had been in use since 2006 but was not completely used or up-to-date, the Program assisted in updating and in executing, in coordination with the PDO Director, a plan to guarantee its full and on-going use. This new system proved to be very effective in reducing the number of public defender substitutions for hearings and trials, which was previously very detrimental to the quality of service provided by the PDO. Under Program sponsorship, all PDO offices (19) at the national level now use the electronic common agenda software and have brought their case tracking systems 100% up to date as a prerequisite to using the common agenda software. To facilitate its use, the Program also upgraded *Casa de Turno* equipment and facilities in San Salvador, Santa Tecla, Soyapango, Santa Ana and San Miguel. The Program also provided the appropriate training to all software users. The simple, low-cost common agenda program, which is now used by virtually 100% of the PDOs and for all of their cases, has proved to be the most reliable

source of detailed information regarding the carrying out of hearings and trials and the application of alternatives to trial within the criminal justice system. The module also dramatically enhanced the supervisory capacity of the PDO Director and the local PDO coordinators with regard to the effective management of cases.

The Program also provided assistance in re-engineering and documenting new operating, case handling and administrative procedures, in line with the new requirements of the new CPC, all in the context of and in a manner completely consistent with the PGR's certified ISO-based quality control system. These procedures have greatly increased the efficiency of the PDO, have been audited, and are fully incorporated in the PGR quality control system. A new set of performance indicators was also designed and implemented (based on data relating to the quality and effectiveness of representation provided to users and not only the quantity of hearings attended).

Improved PDO representation in the sentence executing stage: The Program assisted the PDO in defining and executing a plan to increase the number of public defenders devoted to penitentiary issues and the quality of the services they provide. Accordingly, Penitentiary Case Units were created and strengthened in San Salvador, Santa Ana, and San Miguel, tripling the number of public defenders and other staff (increasing from 6 to 18 staff members and interns) providing full-time attention to sentenced prisoners. The Program donated computer equipment and furniture to assist in the strengthening of these Units. A Program official served as honorary witness to the signing of the first inter-institutional agreement between the PDO and the Director of Penitentiary Centers for the exchange of information regarding prisoners (many of whom were tried and sentenced when they could still afford a private lawyer, and were now potential candidates for PDO services). Interns were placed in the Penitentiary Case Units in order to strengthen the PDO internship program with local law schools.

PDO Investigation Unit created and strengthened: With extensive Program assistance, the PDO developed a plan for the establishment of a PDO Investigation Unit. The approved plan, detailed the following information: justification for the Unit, implementation procedures, professional requirements for investigators, specific investigative functions, administrative requirements, training requirements, and inter-institutional coordination issues. Accordingly, in May 2012, the Program conducted a Basic Investigation Course for 26 PGR coordinators, trainers, and potential investigators. Three full-time investigators were selected by the PGR from the Basic Investigation Course to supervise investigative interns to staff the Investigation Unit. In June 2012, the interns were selected and the Investigation Unit became operational.

PGR Training School created: The Program also assisted the PGR in preparing the executive order to establish the PGR Training School. The approved executive order contained sections regarding PGR Training School functions, adscription, personnel requirements, professional experience requirements and individual duties of full- and part-time staff, and ongoing budget and financial support requirements. In May 2012, the Program conducted an Oral Litigation, Evidence Handling, and Intensive Case Theory course for 25 public defenders/trainers selected from three regions of the country. These courses, designed originally for AGO personnel, were modified to meet the needs of the PDO, and as adapted, now serve as part of the core curriculum for public defenders at the PGR Training School. PGR trainers were also trained in teaching techniques.

On June 28, 2012, following Program assistance in renovating and providing some equipment and furniture, the PGR inaugurated the PGR Training School at the main PGR executive

building in San Salvador. The training school is now fully operational and has already conducted its first training activity. PGR officials heralded the inauguration as an “historic event” for the institution, finally establishing a PGR Training School after over 50 years of existence.

B. PERFORMANCE INDICATOR RESULTS

The PGR, through its PDO, with Program assistance, re-engineered a total of 545 processes at the national level during the Task Order period, exceeding Program targets for this indicator. These processes were fully and officially incorporated after a lengthy approval process into the PGR’s certified ISO 9000:2008 quality-based management system and were subsequently monitored by the internal Quality Control Unit of the PGR and by a third-party ISO entity. New performance evaluation indicators were designed and fully implemented as part of the reengineering process undertaken with Program support. The indicators in the PDO were monitored by the new common agenda and improved SIG software applications, which were designed/strengthened and implemented with Program assistance.

VIII. DOMESTIC AND SEXUAL VIOLENCE INITIATIVES

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

Five Domestic Violence Initiative (DVI) victims support offices created and strengthened:

With extensive Program assistance and a participatory design process undertaken with key GOES and civil society counterparts in the Domestic Violence Working Group, the first DVI was established in the Soyapango Integrated Justice Center in July 2010. Designed to provide multi-disciplinary services to victims of domestic and sexual violence, inter-institutional participation was critical to the success of the initiative. Therefore, the Program assisted in facilitating inter-institutional agreements to have the DVI staffed by the following professionals: NCP case-intake specialists, a doctor from the Ministry of Health to provide medical attention, Program-sponsored psychologists and social workers through NGO small grants, a PGR lawyer and social worker, a case adviser from the Organización de Mujeres Salvadoreñas (ORMUSA), and child psychologists provided by FUNIPRI. With Program support, the DVI also created and staffed victim-support and self-help groups to provide vocational therapy and vocational alternatives. An Executive Committee (EC) of the Soyapango DVI was also created to provide guidance, oversight, and monitoring of the DVI’s operations.¹ A DVI work plan and action plan were also developed with Program assistance. A DVI automated case-tracking system, programmed with Program support, was piloted in the Soyapango DVI (and later expanded to the other DVIs). A *ludoteca* (play and game therapy center) was later added to care for and assist the children of DVI patients, as well as children victims of domestic

“The work accomplished by Checchi/USAID has been an enormous benefit to the crime victims and other justice system users in our country, as well as a tremendous benefit to the Court in the modernization and professionalization of our courtrooms and capabilities. . . Checchi has forged excellent working relationships with the members of the Supreme Court. We collectively express our gratitude for all your support and for your great sensibility and commitment to our shared cause.”

Rosamaría Fortín Hueso, Supreme Court Magistrate, President of the Criminal Chamber

With Program support, the DVI also created and staffed victim-support and self-help groups to provide vocational therapy and vocational alternatives. An Executive Committee (EC) of the Soyapango DVI was also created to provide guidance, oversight, and monitoring of the DVI’s operations.¹ A DVI work plan and action plan were also developed with Program assistance. A DVI automated case-tracking system, programmed with Program support, was piloted in the Soyapango DVI (and later expanded to the other DVIs). A *ludoteca* (play and game therapy center) was later added to care for and assist the children of DVI patients, as well as children victims of domestic

¹ The EC was comprised of Program staff, the Director of the Soyapango Integrated Justice Center (SIJC), the DVI Coordinator, a representative of the Supreme Court, and a representative from the PGR. The EC worked closely with the Sexual Violence Working Group (SVWG) of the Court.

violence. Finally, a national DVI implementation plan and corresponding profiles and operating processes were approved by the Criminal Chamber of the Supreme Court and were incorporated within the Supreme Court institutional structure to help guarantee the sustainability of the DVIs.

Given the tremendous impact of and institutional satisfaction with the Soyapango DVI, in April 2011, a second DVI was opened in Ciudad Delgado with Program support. The Ciudad Delgado DVI was also monitored by an EC and the SVWG. In October 2011, the Program sponsored a third DVI at the *Isidro Menendez* Integrated Justice Center (IMIJC) in San Salvador. The San Salvador DVI was also monitored by an EC and the SVWG. The Program sponsored a second *ludoteca* at the IMIJC to provide services to the new Law for the Protection of Youth and Adolescents (LEPINA) users. Two workshops were conducted for the development of clinical protocols in this area, in conjunction with the specialized LEPINA judges, FUNIPRI, and the Supreme Court.

In December 2011, a fourth DVI was initiated at the facilities of *Ciudad Mujer* in Lourdes. The Program provided specific support to the domestic and gender violence sections of the *Ciudad Mujer-Lourdes* location, in three specific areas: (1) development of the procedures manual through various meetings and workshops; (2) training for *Ciudad Mujer* employees and judges, as well as clerks of court from the eight municipalities covered by *Ciudad Mujer*; and (3) equipment donations for the domestic and gender violence department. The Supreme Court appointed a DVI Judicial Coordinator at *Ciudad Mujer-Lourdes*, facilitated and trained by the Program, to coordinate all victim-assistance and other activities with the IML in Santa Tecla and the eight Justice of the Peace Courts in the *Ciudad Mujer-Lourdes* catchment area.

Due to serious political and administrative issues and complications at the Supreme Court in early- and mid- 2012, the Program was unable to complete the fifth and final scheduled DVI in Chalatenango, although significant progress was made on behalf of the Program in preparing for its creation. Instead, on June 20, 2012 (with USAID approval), the Program teamed with the *Instituto Salvadoreño para el Desarrollo de la Mujer* (ISDEMU) to rapidly create the fifth DVI, and inaugurated an Attention to Victims of Domestic and Sexual Violence Center at the ISDEMU intake facility in San Salvador. The Program's assistance included the donation of equipment and furniture for the following areas: crisis attention, self-help meeting/counseling room, medical clinic, counseling and psychological assistance offices, and the therapeutic play area (*ludoteca*). In addition, the Program conducted a one-week training course for 24 ISDEMU personnel on the following topics: recognition of sexual crimes, treatment therapies, and play therapy for children, as well as a one-day forum for 50 ISDEMU representatives on the creation of a technical commission for the Special Integrated Law for a Life Free of Violence for Women.

The Program helped develop and sponsor an important inter-institutional event related to the prevention of violence against women that was conducted by the Supreme Court (75 participants). During this event, the DVI staffs and collaborating CSOs from Soyapango and Ciudad Delgado reported on the work accomplished in their areas. In addition, the Program developed a strategic dissemination plan to promote the work and services provided by both the DVIs and the RCCs. These strategies were presented to the Supreme Court and were approved for future implementation. In addition, the Program sponsored a successful, historic two-day "Best Practices in Addressing Gender Violence Cases" conference for 55 women judges, legislators, executive agency officials, and CSOs, resulting in the proposal of numerous recommendations for handling domestic and sexual violence cases and problems. The Program

also coordinated the visit of conference participants to the Ciudad Delgado DVI, obtaining commitments from institutions and NGOs to join efforts to combat gender violence.

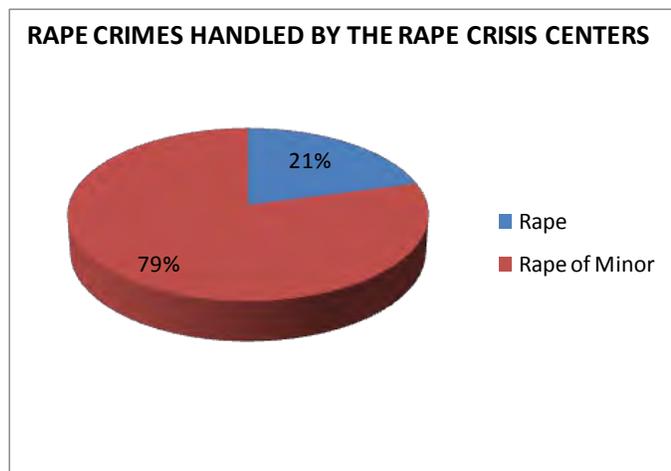
In addition, two outreach and publicity workshops were conducted concerning the services provided by the DVIs/RCCs and juvenile justice mediation; one for 15 Supreme Court press representatives, and one for 55 members of the national press. As part of the outreach efforts, print publicity was provided in the *Prensa Gráfica*, *Diario de Hoy*, *Diario El Mundo*, and the *Periódico Digital La Página*. Radio spots were sponsored in *Radio YSUCA*, *Radio Nacional*, and *Radio Cuscatlán*. The Program also helped the Court press office establish a national dissemination plan to advertise the impact of the DVI, RCC, and juvenile justice initiatives. As part of this plan, the coordinators of these units were interviewed during weekly radio programs to discuss/promote the initiatives. The interviews were featured on *Radio Nacional*, *Radio Cuscatlán*, and *Radio YSUCA* during the “judicial magazine segments.” With Program assistance, pamphlets were also prepared to assist in promoting the DVIs/RCCs.

In April 2012, Program and Supreme Court personnel inaugurated a waiting room for crisis victims and a *ludoteca* facility at the *Derecho Privado y Social* Integrated Justice Center in San Salvador. As with the other *ludotecas*, the facility was staffed by professional counselors (FUNIPRI) to supervise and conduct therapeutic play for minor children of adult victims of violence who were attending court proceedings.

Finally, as detailed above in Section V, the Program supported and coordinated the work of approximately 42 NGOs at the Soyapango, Ciudad Delgado, San Salvador, ISDEMU and Santa Tecla DVIs/RCCs, to include: AMS, SENDAS, and FUNIPRI, among others.

Two IML-based Rape Crisis Centers (RCCs) designed and created:

Building on the success of the DVIs, Program, Supreme Court, and the SVWG developed the parameters of the RCC model to be implemented at IML facilities. Even though designed to provide services to any victim of a sexual crime, the central focus of the RCC overwhelmingly ended up being oriented toward addressing the needs of child and adolescent victims. In June 2011, the RCC-IML was inaugurated and placed into 24-hour service at the San Salvador IML facility. Similar to the DVIs, the Program provided critical equipment and minor remodeling support. The RCC-IML is staffed by IML doctors, IML psychologists, and Program-sponsored CSO counselors and therapists.



With extensive Program support, a second RCC was opened in Santa Tecla in December 2011. The Program also conducted several training activities for operators working directly or indirectly in the care of victims of sexual abuse. A total of 70 forensic physicians, attorneys, police officers, judges, clerks, and area hospital personnel participated in the training. The RCCs have been so successful that the IML has expressed its plans to have one in each IML location at the national level, eventually staffing all of these with IML social workers and/or psychologists.

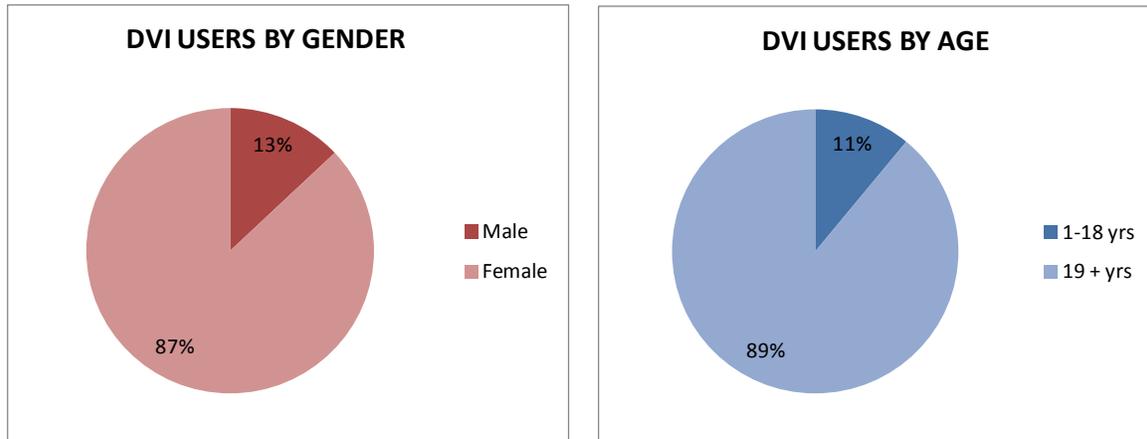
In further support of the RCC initiative, the Program assisted the Supreme Court, and the IML specifically, in defining a detailed protocol as a guide for RCC psychologists, detailing the following information: RCC objectives, RCC organizational structure, inter-institutional coordination, operational functions, and administrative functions. Most importantly, it proscribed 25 different protocols to be followed when treating victims of sexual crimes, including: victim reception, development of the victim profiles, treatment for child victims, treatment for those accompanying the victim, treatment for adult victims, victim stabilization, and medical/legal evaluation. These protocols were approved by IML and are being implemented in both RCCs.

Institutional capacity of AGO and NCP strengthened to pursue domestic, gender-based and sexual violence case: Most of the Program's efforts to strengthen the institutional capacity of the AGO and the NCP to pursue domestic, gender-based, and sexual violence cases involved advanced training and mentoring activities. For example, the Program conducted a six-month "victimology" certificate course for prosecutors, police, and IML medical staff (40 graduates in total); and conducted a series of victim-assistance workshops for 32 NCP officers from the San Salvador Attention to Citizens Offices. In addition, the Program sponsored two workshops with 24 key AGO leaders to develop AGO policies to assist victims of domestic and sexual violence. The Program also conducted "Attention to Victim" training for numerous AGO, NCP, and IML officials, and sponsored several workshops to develop investigative strategies for serial rape cases. Two other workshops were conducted with the DVWG (40 persons) on the processing of sexual/gender violence crimes scenes. The Program also sponsored four related training courses for 75 Judicial Branch, AGO, DVI/RCC, and IML representatives regarding trauma in victims of sexual abuse. Moreover, the Program also made a presentation to the AG on analytical/investigative strategies in the case of a convicted serial rapist. This successful case, which resulted in a 120-year sentence, was a by-product of several Program-sponsored workshops for prosecutors, forensic doctors, and police investigators.

In March 2012, the Program completed a comparative study addressing the number of sexual violence complaints and convictions in the San Salvador metropolitan area. The study was completed comparing 2011 partial-year information provided by the AGO. Specifically, the study compared sexual-crime data from the following AGO offices: San Salvador, Soyapango, Mejicanos-Ciudad Delgado, and San Marcos. Although some conclusions were considered to be premature given the incomplete data and the relatively recent establishment of the DVIs/RCCs, some significant and interesting trends were identified. Specifically, conviction rates for sexual crimes were dramatically improved in locations with existing DVIs/RCCs, with an overall conviction rate of 24% (San Salvador, Soyapango, and Ciudad Delgado); as compared to a location without a DVI/RCC (such as San Marcos, with a 0% conviction rate for rape cases). The primary conclusion of the study, although preliminary, suggested that victims of sexual crimes were much more willing to persevere throughout the legal process when an adequate support mechanism (such as the DVI or RCC) was in place. Without this support mechanism, sexual crime victims were less effective in their testimony and were also less likely to pursue the judicial process through completion. A more in-depth study would be merited once more relevant data becomes available.

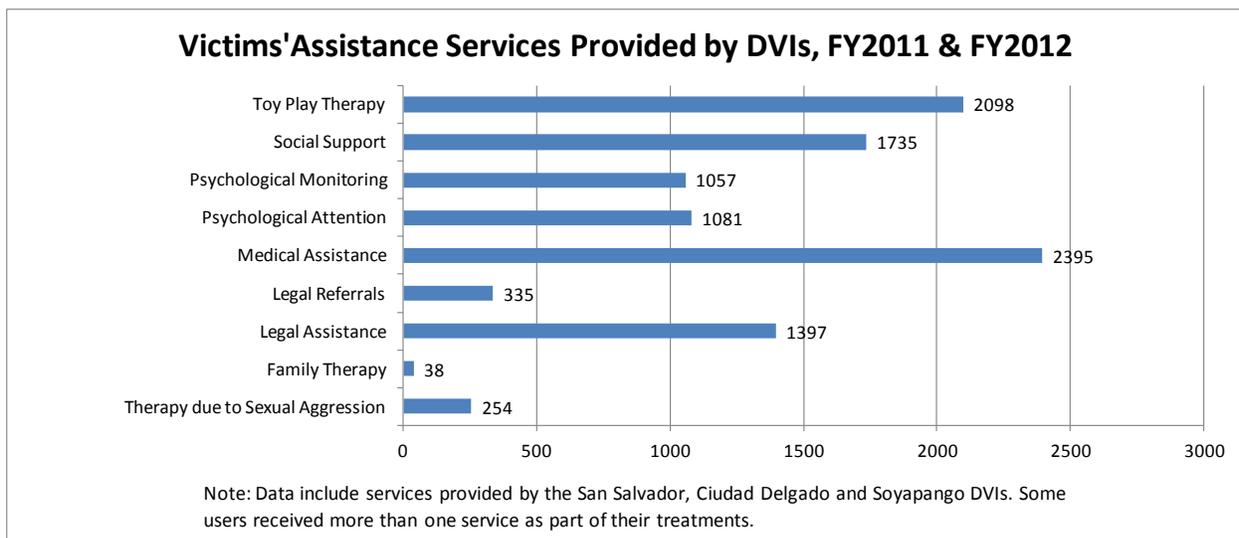
As cited in Section II, the Program provided significant technical assistance and mentoring to the AGO UCAMWs from San Salvador, Soyapango, Mejicanos, Apopa and San Marcos. Through active Program mentoring, these are now consistently receiving investigative referrals from the DVIs/RCCs. More specifically, during the April–June 2012 period, the UCAMWs received the

following number of sexual crime and gender-based case referrals: 14 from DVI Ciudad Delgado, 10 from DVI Soyapango, and 43 from the San Salvador DVI and the RCC-IML.



B. PERFORMANCE INDICATOR RESULTS

Indicator targets were defined assuming that five DVIs were going to be operational during FY2011. However, due to the lack of the availability of physical space to set up the DVIs in some of the targeted jurisdictions, the Supreme Court delayed the establishment of the DVIs until late FY2012. As a result, indicator data primarily reflect the number of DVI users that received assistance at three DVI offices. Actual data for these DVIs show that a total of 2,564 users were assisted at the DVIs. This figure represents a 75% increase in the number of users per DVI from the defined target. In addition, a total of 2,788 children received care and treatment in the four *ludotecas* linked to the DVIs.



The Program also measured the number of rape cases handled by the Rape Crisis Centers (RCCs) and the DVIs. Actual data for this indicator reflects that a total of 848 rape cases were handled by the RCCs and the DVIs during the task order period, surpassing the Program's target by 54%. This figure shows that there is high demand for providing victims' assistance

services in rape cases, and particularly in providing specialized attention to child and adolescent victims of rape.

IX. INCREASED ACCESS TO JUSTICE

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

During the Task Order period, increasing access to justice, through increasing the efficiency and transparency of the courts as well as the provision of improved orientation and other services to users of the court system, was an important priority and one that produced very significant positive results. The results were particularly impressive given the many competing political and other interests and overall tense climate in the Supreme Court throughout the life of the Task Order. The key result in increasing access to justice under this component include the implementation of a Justice of the Peace Model Court, designed and implemented in a pilot district, with an increase in operational efficiencies in 91 courts at the national level.

Justice of the Peace Model Court successfully implemented to increase court efficiencies and access to justice: By design, the new CPC significantly changed the role and attributes of the Justice of the Peace Court. Given this reality, a plan for the development and validation of a Justice of the Peace Model Court was developed and implemented by the Program, using a participatory, quality-based process and re-engineering methodology. As part of this process, numerous workshops were held with Justices of the Peace and court secretaries to identify current procedures and bottlenecks and design improvements. A survey instrument was also applied to determine current practices and points of standardization among different courts. The following key bottlenecks and/or critical issues were identified: infrastructure (i.e. lack of courtrooms, recording equipment, etc.), the transfer of prisoners for hearings or trials, notifications and service of process (resulting in large numbers of suspended hearings), and problems in the reception and equitable distribution of cases. Furthermore, in jurisdictions with more than one Justice of the Peace Court, the AGO was able to select before which judges to file a particular case, resulting in systemic distortions and highly inequitable case loads. It was also determined that a very broad definition of *in flagrante* was applied by the NCP and AGO, which potentially produced excessive numbers of inappropriate cases being handled by summary proceedings under the new CPC.

In order to improve efficiency and effectiveness, the Program assisted the Supreme Court to redesign and/or establish CAUs and ODPs in several justice centers around the country. A CAU is a computerized information desk that, among other things, uses common-agenda software to provide up-to-the minute information/guidance on court hearings to the public via large plasma display screens, as well as provide orientation to court users. An ODP is a computerized case-distribution system that centralizes case reception functions in one office and assigns judicial cases in a random and equitable manner.

In October 2011, the first CAU and ODP were officially inaugurated in Santa Ana. Program technical assistance included minor remodeling, the purchase and installation of equipment, and the training of all associated personnel (to include judges, court secretaries, and administrative personnel). Both facilities functioned extremely well and generated substantial positive feedback from Court and AGO officials, as well as citizen users. With the CAU in particular, initial results indicated an overall increase of 58% in the amount of services provided to users when compared with the previous quarter. More specifically, among other services provided, there was a 44%

increase in information shared on the location of judicial proceedings, a 59% increase in information shared regarding the Judicial Directory, and a 37% increase in information shared on case disposition. Throughout the Task Order period both facilities were repeatedly praised by the Supreme Court, justice sector operators, and court users. As an example, the Santa Ana ODP was heralded by the Justices of Peace for successfully equalizing caseloads among judges and preventing "forum" or "judge" by the AGO.² The success in Santa Ana spurred much interest by the Supreme Court and AGO officials in many other parts of the country.

In April 2012, the Supreme Court, with Program assistance, inaugurated the re-designed CAU facility at the *Derecho Privado y Social* Integrated Justice Center in San Salvador. As of June 30, 2012, the common agenda software was performing admirably in servicing 30 Civil, Commercial, Labor, and Family Courts. Also in April 2012, Program and Court personnel inaugurated the CAU at the Integrated Justice Center in Ciudad Delgado. As of June 30, 2012, the common agenda software continued to perform admirably in servicing the various criminal courts at the Justice Center. On June 29, 2012, the CAU in the IMIJC in San Salvador was officially opened and placed into operation. The CAU services 39 courts at the IMIJC. Prior to opening, the Program trained 28 facility judges and court secretaries from the Peace, Criminal Instruction, Criminal Sentencing, and Transit Courts in the use of the common agenda software and the new protocols to be used in coordination with the CAU.

On July 2, 2012, the Supreme Court opened the last scheduled CAU with Program support at the San Miguel Justice Complex, one of the busiest in the country. All facility staff members received appropriate training from the Program. As part of the technical assistance to the Judicial Branch in San Miguel, the Program prepared an operational and job profile manual for the eventual creation of both a CAU and an ODP, detailing the structure, functions, staffing requirements, operating processes, and quality control procedures for both the CAU and the ODP. This manual will serve as a model for the Supreme Court in the development and establishment of future CAUs/ODPs. The Program assisted in making all the preparations for the opening of the ODP in IMIJC, which, with over 30 courts handling over 50% of the criminal case load in the country, would have been technically and politically challenging. However, the Program decided with the Supreme Court to temporarily suspend both the inauguration of the ODP as well as the initiation of the new work system, given the unstable political and institutional environment in the Supreme Court. An important factor in this decision was that, given the large anticipated case load, at least four additional persons needed to be hired, a task that proved to be difficult in the political environment in the Court.

During the Task Order period, a series of workshops was held for over 90 operators to assess and make recommendations for the Mediation Centers, CAUs, and DVIs on how to improve access to judicial services for persons with physical, intellectual, and emotional disabilities. As a part of these workshops, all participants were trained in key principles of national and international instruments protecting the rights of disabled persons, and in how to provide better service to disabled persons and to avoid discriminatory practices. Numerous recommendations were made to the Court as a result of the workshops, many of which were implemented. For example, the Supreme Court Quality Control Unit, on the basis of the workshops, defined new processes for

² Specifically, from April-June 2012 there were 1,110 total cases entering the 1st, 2nd, 3rd, and 4th Justice of the Peace (JOP) courts. The specific caseloads by court were: 278-1st JOP, 279-2nd JOP, 277-3rd JOP, and 276-4th JOP. These numbers represented significant improvement in terms of equality over previous periods.

the three models (DVI, CAU, and MCs) as well as in other areas, for the court system to better accommodate persons with disabilities. In addition, all Program-defined recommendations for improving services for the disabled and disadvantaged were incorporated into the CAU protocols. These, and other, associated protocols were uploaded to the Supreme Court website and were readily available to staff and users alike.

Finally, in August 2011, the Program financed a day of activities for the Judicial Branch and other counterparts with US Supreme Court Justice Sonia Sotomayor. The activities included a roundtable discussion regarding constitutional law in the US and in El Salvador for over 500 participants, and a discussion with over 30 women judges and magistrates regarding the role of and difficulties facing women in positions of power in the justice system.

B. PERFORMANCE INDICATOR RESULTS

The Program greatly exceeded the targeted number of courts (60) to benefit from the court administration improvements with a total of 91 courts benefitting. This was due to the fact that the *Derecho Privado y Social* IJC, with its 30 courts, was included in the activities after targets were set.

X. STRENGTHEN THE USE OF COURT-ANNEXED AND OTHER TYPES OF MEDIATION

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

Another Program strategy to increase access to justice, as well as to increase court case-processing efficiency, was to increase and institutionalize the use of court-annexed mediation. The Program designed and opened the first court-annexed MCs in El Salvador, creating a fully sustainable model capable of replication at the national level. This was accomplished in spite of the tense climate and competing interests in the Supreme Court. Key results in the area of court-annexed mediation include: (1) the design and implementation of four court-annexed mediation centers; and (2) increased institutional capacity and orientation with the justice sector regarding the use and importance of mediation.

Four court-annexed Mediation Centers (MCs) designed and implemented: In March 2010, after the closeout of USAID's Mediation Program, Checchi successfully took on several of the activities initiated under that project, given their importance to assuring access to justice and the effective implementation of the CPC. In September 2010, the Program facilitated the signing of an agreement between the Supreme Court and the PGR regarding the implementation of court-annexed MCs, including the Soyapango IJC and other locations. The Program also raised awareness regarding the use of court-annexed mediation with the Judicial Branch by signing strategies and work plans with the Supreme Court for both the MC model in Soyapango (SMC), and a second MC center to be located in the San Salvador IMIJC.

As a result of these agreements, in February 2011, Supreme Court, PGR, and the Program officially established the SMC. The Program assisted the Supreme Court in designing, pursuant to a very participatory methodology, detailed operating procedures for the SMC, as well as standards for cases possible of and likely to be resolved through mediation and detailed case referral procedures. Additionally, Program support included activities to disseminate the functions of the SMC and the types of cases that it is able to receive. SMC follow-up meetings were conducted monthly throughout the Task Order period. Through Program efforts, and

carrying out similar methodologies as in the SMC, the IMMC was established in March 2011. IMMC follow-up meetings were also conducted monthly throughout the Task Order period. The additional MCs in the Ciudad Delgado IJC, the *Derecho Privado y Social* IJC in San Salvador and (partially) in the Santa Ana Judicial Complex, were financed with funding from the Caribbean Regional Security Initiative (CARSI) and INL, and as such will be described in a separate section (section XII below) in this report.

Checchi also helped to lobby for the creation of a centralized support office within the Supreme Court for the growing number of court-annexed mediation centers. Unfortunately, in light of the political conflicts within the Supreme Court, although a merit-based process was carried out to hire a director of the office, no one had been hired as of the end of the Program.

Increased institutional capacity with the justice sector regarding mediation: In an effort to improve inter-institutional cooperation and ensure professional standards in the justice sector, the Program sponsored a certificate course for mediators and other key operators (administrative and judicial staff). The two-month course, conducted in coordination with the University *José Matías Delgado*, entitled, "*Primer Diplomado para el Análisis de Gestión y Resolución Alternativa de Conflictos*", was taught by national and international experts. A total of 44 representatives of the PGR, AGO, Supreme Court, and *Consejo Nacional de la Judicatura* (CNJ) graduated from the course. In addition to the certificate course, the international expert conducted two conflict-resolution seminars for Supreme Court personnel; one seminar for the Criminal Chamber, with 75 participants; and a second seminar for the Civil Chamber, with 150 participants. These events were extremely well received by both chambers. Extensive training was also provided to all mediators contracted or transferred to the MCs by the SC before opening the MCs.

B. PERFORMANCE INDICATOR RESULTS

In total, the SMC received 172 cases since initiating operations in March 2011. Of these, 141 were successfully mediated (82%). All of these agreements were eventually approved by the courts. An additional 988 users received legal orientation and violence-prevention counseling. The negotiated total of all mediation agreements was \$80,579. In total, the IMMC received 294 cases since initiation, with 233 (79%) successfully mediated. All agreements were eventually approved by the courts. An additional 1146 users received legal orientation and violence-prevention counseling. The negotiated total of all mediation agreements was \$312,522. As noted above, the other MCs were financed with CARSI/INL funding. Consequently, corresponding data will be described in Section XII below.

XI. JUVENILE JUSTICE (CARSI/INL)

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

The juvenile justice component was added to the Task Order in October 2010. At that time, the juvenile justice area in El Salvador, fraught with many complexities and problems including a lack of the use of alternatives to trials and of meaningful alternatives to incarceration for juvenile offenders, had largely been ignored by most international donors. In spite of these challenges, excellent progress was made in achieving the Program's goals and objectives. Key results in the juvenile justice area include: (1) existence and effective functioning of pilot Juvenile Mediation and Restorative Justice Center and an increase in the use of alternatives to trial and restorative justice in juvenile offender cases; (2) strengthened Juvenile Justice Office in the Supreme Court; (3) increase in the use of mediation and alternatives to trial in the AGO; (4) increased availability

and placement of juvenile offenders in high quality community-based programs as an alternative to trial and/or incarceration; (5) improved coordination between the courts and the *Instituto Salvadoreño para el Desarrollo Integral de la Niñez y la Adolescencia* (ISNA) regarding community-based placements; (6) strengthened capacity of ISNA to supervise the carrying out of community-based alternative to incarceration programs; and (7) improved awareness regarding SC activities in Program supported areas.

Juvenile Mediation and Restorative Justice Center and increased use of mediation and restorative justice techniques: One of the Program's first activities in this area was to assist in the formation of the Juvenile Justice Working Group (JJWG) to jointly assess and coordinate all Program efforts in juvenile justice. The JJWG was comprised of several Minors Judges, one Minors Sentencing Execution Judge, one Minors Appellate Court judge, the Criminal Chamber of the Supreme Court, the Program, and NGO and ISNA representatives as needed. Under the direction of the JJWG, a Juvenile Mediation and Restorative Justice Center (JMRJC) pilot was initiated as part of the IMMC, although it operated with different procedures, and case referral and resolution criteria. Two of the 10 IMMC mediators were selected to work in the JMRJC. After receiving Program-sponsored training in juvenile delinquency proceedings and restorative justice techniques, they initiated their work in the JMRJC. As a result of training and other activities, Juvenile Delinquency Judges in the San Salvador pilot area substantially increased their use of alternatives to both trial and incarceration.

As a support to the JMRJC, the Program assisted in the development and distribution of the Procedural Manual for Case Referrals and the Restorative Justice Manual. The Restorative Justice Manual detailed the necessary protocols and procedures for the JMRJC (i.e., case referral standards, case resolution standards, family group conference methodology, and the creation of individual restorative justice plans). Both manuals were validated and approved for use by the Supreme Court.

A strengthened SC Juvenile Justice Office: With extensive Program support, the Supreme Court's Juvenile Justice Office (JJO) Strategic Plan was finalized and implemented. The Program also donated computer and audiovisual equipment to the JJO to promote better communication between the juvenile justice sector institutions. The Program also conducted several restorative-justice training courses for numerous justice sector operators and CSOs. All appropriate juvenile justice operators were trained in restorative justice principles during the Task Order period.

Increased use of alternatives to trial and incarceration of juvenile offenders in the AGO: The Program met with the AG to propose a Juvenile Unit pilot to increase the use of alternatives to trial in juvenile cases within the AGO. The Program and AGO compiled and presented statistical information supporting the creation of the pilot unit. The AG, however, declined to form the unit due to budgetary constraints. Instead, the Program sponsored the creation of a working group within the San Salvador Youth Offenders Division (within the UCAMW San Salvador) of the AGO to foster an increase in pre-judicial mediations and the diversion of juvenile delinquency cases. The Program trained six juvenile offender prosecutors in mediation and restorative justice techniques. Beginning in July 2011, these activities were implemented through a series of training courses offered through the AGO Training School to juvenile delinquency prosecutors and other AGO staff. Additionally, juvenile delinquency units within the AGO referred cases to Program-supported CSOs that provided educational and community service options to youth offenders as alternatives to trial. The Program also assisted the AGO in

the development of the Juvenile Criminal Prosecution Policy (JCPP), detailing case reception, referral and resolution standards, including the broad use of alternatives to trial and alternatives (“diversions” and others) to incarceration, as required by international treaty obligations of El Salvador, to complement the AGO’s already existing CPP. The JCPP was officially approved by the AG and later implemented in the institution, and the number of alternatives to trial and incarceration increased.

Increased availability and placement of juvenile offenders in high quality community-based programs as an alternative to trial and/or incarceration: The Program awarded small grants to several CSOs to work directly with youth offenders, at risk youth, and relatives of juvenile offenders to provide community-based alternatives to juvenile incarceration, such as community service placements and vocational/educational programs, which were not widely available before the Program began to provide support. Specifically, these included: *Proyecto Nehemías*, *Servicio Social Pasionista*, *Asociación Equipo Nahual*, and *Confraternidad Carcelaria*. Over 300 youth offenders who were referred by the Minors Courts to these CSOs completed alternative sentencing and community service programs run by these Program-sponsored CSOs. Highlighting some of the CSO activities, three community-service work sessions were conducted in San Ramon, Soyapango, and San Salvador with the participation of youth who were serving community-service terms and other interested members of the communities. All three efforts were very successful for the youth participants and served to foster pride of place in the communities served. In addition, the Program sponsored a series of graduation ceremonies for youth from the “Personal Development and Vocational Training Program” conducted in coordination with *Proyecto Nehemías* and the Supreme Court. By successfully completing the program, the youth offenders fulfilled the conditions of their sentences and avoided incarceration.

Improved coordination between the courts and ISNA regarding community-based placements for juvenile offenders: In association with Creative Associates, the Program assisted in the development of an historic cooperation agreement (previously non-existent) signed by ISNA and the Juvenile Delinquency Execution Courts (JDECs) of the Supreme Court, to facilitate coordination in, among other things, the execution and quality control of juvenile offender sentences and community-based programs. The Program sponsored a signing ceremony/workshop for 80 ISNA and Judicial Branch operators to execute and introduce the framework for the cooperation agreement. All protocols were validated through the efforts of the working group, ISNA staff, and JDEC judges. Due to the success of this event and the cooperative agreement, the Program helped sponsor additional sessions for the working group and other operators to provide appropriate follow up in the implementation of the agreement at the national level.

Strengthened capacity of ISNA to supervise the carrying out of community-based alternative to incarceration programs: During this period, the Program completed an implementation plan for ISNA related to a model for creating/monitoring community-based programs for youth offenders. This plan, entitled “*Definición de un Modelo Institucional de Gestión y Verificación del Programa en Medio Abierto – ISNA*”, outlined proposed technical assistance in the following areas: the definition of an institutional model to more effectively manage and monitor ISNA rehabilitation and socio-educational programs, the design of an assessment tool to identify institutional requirements and to improve the management of resources, and the development of new protocols and procedures to enhance organizational

effectiveness. Additionally, through a series of workshops and training activities, Checchi assisted ISNA in developing improved procedures to refer cases to community-based CSO programs, standards to supervise their functioning and to report to the Judicial Branch on advances, problems, and other issues.

Increased public awareness about Program activities in the Court: As previously described in Section VIII, two outreach and publicity workshops were conducted concerning the services provided by the DVIs/RCCs and juvenile justice mediation: one for 15 Court press representatives, and one for 55 members of the national press. As part of the outreach efforts, print publicity was provided in the *Prensa Gráfica*, *Diario de Hoy*, *Diario El Mundo*, and the *Periódico Digital La Página*. Radio spots were sponsored in *Radio YSUCA*, *Radio Nacional*, and *Radio Cuscatlán*. The Program also assisted the Court press office to establish a national dissemination plan concerning the impact of the DVI, RCC, and juvenile justice initiatives. As part of this plan, the coordinators of these units were interviewed during weekly radio programs to discuss/promote the initiatives. The interviews are featured on *Radio Nacional*, *Radio Cuscatlán*, and *Radio YSUCA* during the “judicial magazine segments.” With Program assistance, pamphlets were also prepared to assist in promoting juvenile justice mediations.

Finally, the Program, working with AGO representatives and Supreme Court DVI/RCC operators, completed a detailed study regarding the relationship between households with domestic/sexual violence and future juvenile criminal activity. The results of the study were based on survey responses from the AGO Juvenile Crime Units based in Soyapango, Mejicanos, Santa Tecla, and San Salvador. All survey responses were based on the considerable professional experience of those surveyed. Among the findings: 86% of respondents concluded that intra-family violence and family disintegration were determining factors in criminal behavior of adolescents and youth; 100% of respondents concluded that the lack of values and control in the family were determining factors in criminal behavior of adolescents and youth; 96% opined that 60%-99% of juvenile crime was committed by youth from disintegrated homes; and 81% opined that 60%-99% of juvenile crime perpetrators had experienced intra-family violence. The results of the study, along with its recommendations, were provided to appropriate officials in the Supreme Court and AGO.

B. PERFORMANCE INDICATOR RESULTS

In FY 2012, a total of 64 cases were resolved through conciliation. Of these, 16 cases were resolved by the Pilot Juvenile Mediation and Restorative Justice Section, 18 cases were resolved by the AGO Juvenile Justice Section, and 30 cases by the Juvenile Delinquency Courts (including the First, Third, and Fourth Juvenile Delinquency Courts). The total number of juvenile cases resolved through conciliation since component inception (January 2011 to May 2012) was 167. Of these, the total number of cases resolved by the Pilot Juvenile Mediation and Restorative Justice Section was 57, the total number of cases resolved by the AGO’s Juvenile Justice Section was 33, and the total number of cases resolved by the Juvenile Delinquency Courts was 77.

In FY2012, a total of 33 juvenile justice cases were resolved through conciliation applying restorative justice processes, disaggregated by restorative outcome. Since component inception, a total of 67 cases were resolved through conciliation applying restorative justice processes, disaggregated by restorative outcome. Since component inception, a community institution or a

family member was involved in 84% of the juvenile justice mediation/conciliation cases handled by Program-supported MCs.

In FY2012, the number of juveniles in diversion programs or serving alternative sentences was 243, including: *Servicio Social Pasionista* (45); *Equipo Nahual* (10); *Confraternidad Carcelaria* (6); *Proyecto Nehemías* (128); *Oficina de Resolución de Conflictos (ORAC)* (16); Juvenile Delinquency Courts (30); AGO (18). The total number of juveniles in diversion programs supported by the Program or serving alternative sentences during the Task Order period was 547, and a total of four CSOs received USG funds for diversion programs that provided opportunities for youth offenders during the period of the contract.

Finally, the percentage of juvenile justice cases involving family or community members in the rehabilitation of the youth offender while participating in a Program-supported diversion initiative was 25%.

XII. FAMILY/CIVIL LAW MEDIATION (CARSI/INL)

A. PRINCIPAL ACHIEVEMENTS, ACTIVITIES AND METHODOLOGIES

The Program was very successful in developing and implementing critical activities in support of family and civil law mediation during the Task Order period. Key results in this area include: (1) the design and implementation of two family law/civil law court-annexed Mediation Centers, and full preparations to open two more; (2) improved capacity to mediate family and civil law cases in coordination with the MCs by the PGR; and (3) more efficient processes and improved quality and timeliness of services within the PGR.

Two Court-Annexed Mediation Centers, with PGR coordination for pre-judicial cases, opened: The *Derecho Privado y Social* Mediation Center (DPMC), established in October 2011, faced initial internal political issues that severely hindered case referrals as well as the appointment of a coordinator. In particular, civil judges in the *Derechos Privado y Social* Integrated Justice Center (DPSIJC) insisted upon a formal decree from the SC before they were willing to refer cases for mediation, something that proved difficult until the very end of the Program (in light of increasing political problems within the SC). Therefore, the number of mediated cases was relatively small. The Supreme Court eventually formally decreed that cases from the mercantile, civil, and labor courts were also eligible for mediation. Due to this development, the Program trained four additional mediators in preparation for an anticipated increase in caseload. DPMC follow-up meetings were conducted monthly throughout the Task Order period.

On June 22, 2012, the Program presented the newly remodeled Santa Ana Mediation Center (SAMC) facility to the Supreme Court. However, due to political and administrative issues in the Supreme Court, the Court did not complete the assignment of trained personnel and opted to temporarily delay the opening of the facility until the political problems were resolved. In anticipation of opening the facility on schedule, however, the Program had completed the training of six mediators and the proposed coordinator for the center, as well as the aforementioned remodeling. In addition, a total of 75 judges, court secretaries, and other administrative personnel were trained in Santa Ana in proper procedures. Because of this delay and political uncertainty in the Court, the Program did not purchase the furniture and equipment that had been previously budgeted for this purpose (estimated at \$33,000). If the necessary approvals are secured, the Court still hopes to open the SAMC before the close of 2012.

Mediators for a future San Miguel Mediation Center (SMMC) were also selected by the Supreme Court and trained by the Program.

Improved capacity to mediate family and civil law cases in the PGR and the Courts:

As mentioned previously, in an effort to improve inter-institutional cooperation and ensure professional standards in the justice sector, the Program sponsored a certificate course for mediators and other key operators (administrative and judicial staff). The two-month course, conducted in coordination with the *University Jose Matías Delgado*, entitled, "*Primer Diplomado para el Análisis de Gestión y Resolución Alternativa de Conflictos*", was taught by national and international experts. A total of 44 representatives of the PGR, AGO, Supreme Court, and CNJ graduated from the course. In addition to the certificate course, the international expert conducted two conflict-resolution seminars for Supreme Court personnel; one seminar for the Criminal Chamber, with 75 participants; and a second seminar for the Civil Chamber, with 150 participants. These events were extremely well received by both chambers.

"The work accomplished by Checchi has been a great support to all the institutions that comprise the Salvadoran Justice Sector. During my tenure, Checchi's collaboration has been invaluable in support of a multitude of on-going projects. In particular, the direct infrastructure and equipment support to the PGR Family and Mediation Divisions has met critical needs for our staff and patrons. In addition, the specialized training afforded to the PGR has allowed us to optimize our services to all who seek assistance."

Sonia Elizabeth Cortéz de Madriz,
Procuradora General

More efficient processes and improved quality and timeliness of services within the PGR:

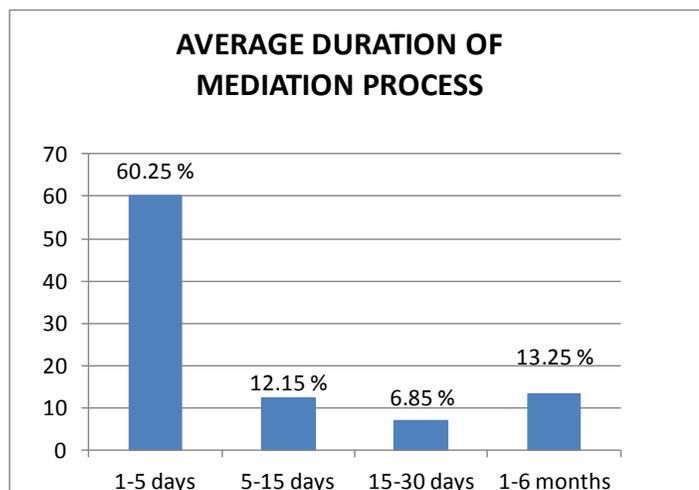
In September 2011, the Program completed a comprehensive assessment of PGR processes, indicators, and monitoring mechanisms in the four principal areas of attention (labor law, family law, personal and property rights, and mediation). The Program also provided technical assistance in developing profiles for mediators/conciliators in the four key areas and assisted with the implementation of new processes into the PGR ISO Quality Control scheme.

The Program successfully revised and updated the PGR statistical reporting systems and attention to user system. The PGR and the Supreme Court mediation case-tracking management systems were also finalized but the two systems were not able to be linked, as planned, due to political considerations within the Supreme Court. Several improvements were also made to the PGR web site. In addition, the Program completed the electronic agenda and calendaring system for the Family and Mediation Units. All appropriate training for system users was completed to enhance operational/administrative efficiency.

Finally, the Program assisted the PGR in improving its infrastructure and, through a participatory re-engineering process, in creating/improving common services (reception, attention to users, space for self-help, etc.) aligned with new procedures. On May 15, 2012, the Program and the PGR, in conjunction with INL, inaugurated the PGR Family Law Center, Mediation Center, and *Ludoteca*. This concluded over one year and \$200,000 of Program technical assistance and equipment donations to upgrade PGR reception facilities and case-tracking capabilities, and to improve the attention afforded to facility users. The INL equipment and furniture contributions, facilitated by the Program, also totaled approximately \$200,000. In addition to the enormous morale boost to PGR officials and employees, these improvements resulted in numerous efficiencies, including an 80% reduction of wait time for facility users.

B. PERFORMANCE INDICATOR RESULTS

The DPMC mediated 45 cases since opening in October 2011, with 31 (69%) reaching agreement. The negotiated total, however, of all mediation agreements was quite high at \$400,526. In addition, 195 separate legal orientations and violence-prevention counseling sessions were conducted. The Ciudad Delgado Mediation Center (CDMC) received 93 cases since inception in August 2011, with 85 (91%) of cases reaching agreement. The negotiated total of all mediations exceeded \$10,100. In



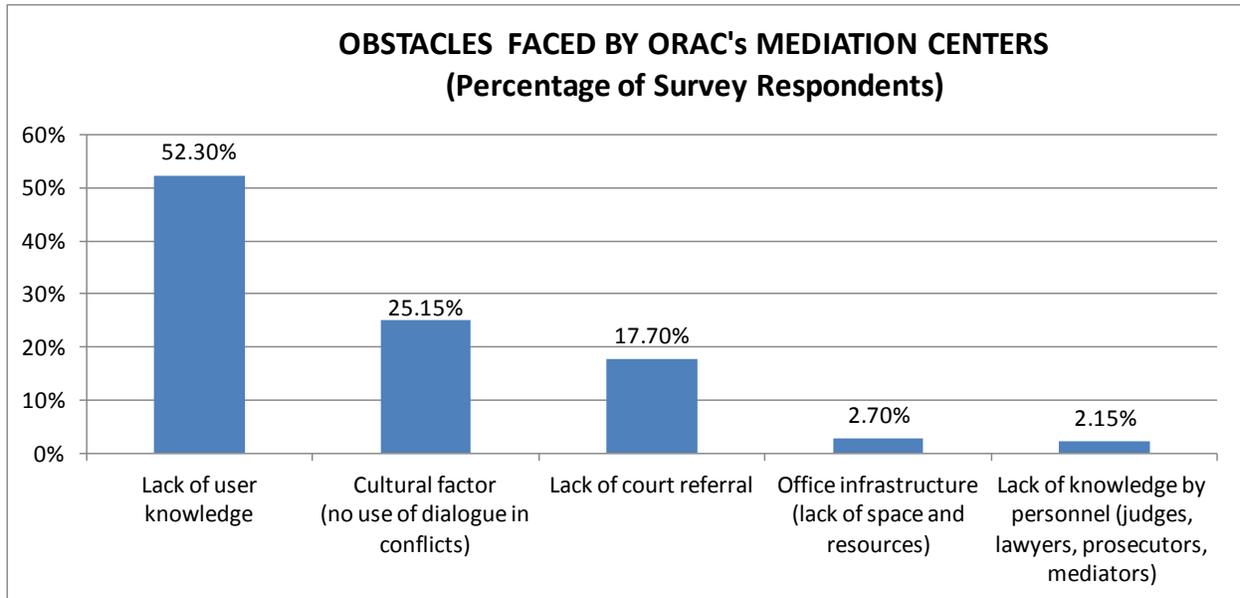
addition, 389 separate cases received legal orientation and violence-prevention counseling by mediation personnel. CDMC follow-up meetings were also conducted monthly.

During FY2011 and FY2012, the Program contracted Analitika Research and Marketing to conduct two public perception and satisfaction surveys of Program-supported Alternative Dispute Resolution Centers in order to obtain relevant data for CARS/INL indicators. The surveys were carried out at the Centers in Soyapango, Isidro Menendez (San Salvador), Soyapango (PGR), and Ciudad Delgado. Key results are discussed below.

Improvement in family/community relations as a result of attending a Program-supported Alternative Dispute Resolution Centers: The Analitika surveys show that users primarily seek out the Centers to resolve two principal issues: 1) problems with neighbors (26.1%); and 2) problems with family members (25%). Survey results demonstrate that the number of users attending the Centers to address issues related to problems with neighbors increased from 26.1% in FY2011 to 36% in FY2012. Similarly, data associated with the number of users visiting the Centers to address problems with family members increased from 25% (FY2011) to 27% (FY2012). It should be noted that the Centers also experienced a 9% increase in the number of users visiting seeking assistance to deal with problems related to injuries, which represents the third most common reason provided by the users to visit the Centers. Given the goal of contributing to developing a culture of peace through mediation, it is noteworthy to point out that 58% of the survey respondents indicated that their relations with the opposing party improved as a result of the mediation services. This result did not change during the two surveys.

Excellent satisfaction with the functioning of the Alternative Dispute Resolution Centers: Analitika's survey results indicate that 73% of FY2011 and FY2012 respondents are very satisfied with the functioning of the Alternative Dispute Resolution Centers. Survey respondents described decongestion of the court system, availability of free mediation and orientation services, and the agility of processes and procedural economy as the most important positive factors justifying their satisfaction with the Alternative Dispute Resolution Centers. The effective functioning of the Alternative Dispute Resolution Centers is contributing to building confidence in the reliance on the use of alternative dispute resolution mechanisms and will eventually lead to an increase in the number of users. This is demonstrated by survey results showing that 93% of

survey participants indicated that they would recommend the Alternative Dispute Resolution Center to others.



Justice sector operators and community members who believe that the Centers have improved the juvenile or family justice system: Both justice sector operators and external users indicated that the Alternative Dispute Resolution Centers have improved the justice system. In fact, 70% of the external users stated that the Centers have contributed to improving their perception of the Judicial Branch, while 96% of the internal users indicated that the Centers are contributing to an improved image of the justice system. This represents a key achievement for the Alternative Dispute Resolution Centers given that improved perceptions about the justice system will have a positive impact in increasing confidence in both the Centers themselves as well as the justice system as a whole. This perception of the external users is linked to the quality of service that they are receiving at the Alternative Dispute Resolution Center, which received very high marks as a result of various characteristics attributed to the mediators such as: ability to listen, respectful and impartial, timely, trustworthy, and capable of managing tense situations.