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Criminal Justice System Strengthened Project

Quarterly / Startup Report
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Patronato de Casos y Mujeres Maltratadas (PACAM)

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/ Centro para la Prevención y Resolución de

Conflictos (PUCMM/CEPREC)

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ACRONYMS

ADR	alternative dispute resolution
AECID	Spanish Agency for International Development Cooperation
ANJE	National Association of Young Entrepreneurs
CAC	Centro de Atención Ciudadana ¹
CBSI	Caribbean Basin Security Initiative
CEDAIL	Dominican Center for Legal Advice and Investigations
CEPREC	Centro para la Prevención y Resolución de Conflictos
CJH	Community Justice House
CJSSP	Criminal Justice System Strengthened Project
CMS	case management system
CO	contracting officer
COIN	Center for Integral Orientation and Research, Inc. Centro de Investigación y Orientación Integral
COIN/ODHGV	Centro de Investigación y Orientación Integral / Observatorio de Derechos Humanos para Grupos Vulnerabilizados
COR	contracting officer's technical representative
CPRG	Citizen Participation for Responsive Governance
CSO	civil society organization
CVAWC	Combating Violence Against Women and Children
CVPC	Community Violence Prevention Center
DASA	Despradel Asociados S.A.
DG	Democracy and Governance
DIGEIG	Dirección General de Ética e Integridad Gubernamental
DN	National District (Santo Domingo)
DNP	Dominican National Police
DR	Dominican Republic
DRG	Democracy, Human Rights, and Governance
EDF	EDF Consulting, Inc.
ENJ	Escuela Nacional de la Judicatura
ENMP	Escuela Nacional del Ministerio Público
F/GBV	family- and gender-based violence
FAIR	Fair Accountable and Responsible Judiciary Program
FINJUS	Foundation for Institutional and Justice Fundación Institucionalidad y Justicia
FOIA	Freedom of Information Act
GBV	gender-based violence
HICD	Human and Institutional Capacity Development
HRP III	Human Rights III Program
IADB	Inter-American Development Bank
IAWJ	International Association of Women Judges
ICMS	integrated case management system

¹ <http://www.gob.do/index.php/servicios-en-linea/centro-de-atencion-ciudadana-cac>

IIS	internal integrity system
IT	information technology
LGBTI	lesbian, gay, bisexual, transgender, and intersex
M&E	monitoring and evaluation
MCI	Interinstitutional Coordination Committee (Mesa de Coordinación Interinstitucional)
MI&P	Ministry of Interior and Police
MOU	memorandum of understanding
OAG	Office of the Attorney General
ODGHV	Observatorio de Derechos Humanos para Grupos Vulnerabilizados
ONDP	National Office of the Public Defender's Office
PACAM	Patronato de Casos y Mujeres Maltratadas
PASJ	Civil Society Action for Justice and Security Program
PC	Participación Ciudadana
PGR	Procurator General of the Republic (Attorney General's office)
PM	Public Ministry
PMU	Project Management Unit of Chemonics International
PN	National Police
PUCMM	Pontificia Universidad Católica Madre y Maestra
PUCMM/CEPRE C	PUCMM / Centro para la Prevención y Resolución de Conflictos
ROL	rule of law
SAF	Special Activities Fund
SCJ	Supreme Court of Justice
STTA	short-term technical assistance
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development
WB	World Bank

I. BACKGROUND

The Criminal Justice System Strengthened Project (CJSSP or Project) is a five-year initiative funded by USAID Dominican Republic (USAID/DR) and implemented by Chemonics International. The CJSSP is implemented under a task order falling under the scope of work specified in the IQC for International Rule of Law technical services. After highly participatory development of a CJSSP workplan, one which was extensively consulted and vetted with public sector and civil society partners and other stakeholders, on November 25, 2015 USAID/Dominican Republic approved an 18-month workplan covering the period June 2015 through December 2016.

This **CJSSP Project Startup Report** documents activities and progress over the period which began with task order contract signing on June 9, 2015. Following expat Chief-of-Party in-country arrival on July 12, 2015, startup activities included establishing and procuring permanent offices and legal registration, concurrent with beginning consultations with stakeholders and proposed partners for workplan formulation.

This report covers the initial seven months of activities, which included staff deployment, finalization of hiring, administrative startup, and initial technical implementation for the period from June 9 through December 31, 2015. In accordance with the task order, future Project reports are to be quarterly, with the next report proposed to cover the 2nd quarter of FY16 (*January - March 2016*), and subsequent reports aligned to FY quarters.

II. INTRODUCTION

USAID's Criminal Justice System Strengthened Project (CJSSP) works within the Dominican Republic's local justice system to foster adherence to rule of law and defend citizens' human rights. Project goals include: improved access to justice, speedy justice, equality and impartiality, combat of impunity, and strengthening justice operator functional independence and responsibility, professionalism, and levels of integrity among operators that garners public confidence in the justice system.

OBJECTIVE: The overall objective of the Project is “to strengthen the criminal justice system in the Dominican Republic by improving the quality and effectiveness of prosecutions.”

This reporting period was marked by careful attention to and investment of time in workplan development with future implementing partners. This was in recognition that successful implementation of the Project would require a holistic multi-stakeholder approach to achieve a number of goals, and therefore local partner knowledge, and most importantly, ownership of the workplan design. Criminal system processes thread their way through a variety of entities which -- in any given case - may rely upon professional contributions of, variously: community justice services, preventive and investigative police, prosecutors, forensics specialists, public defense and the judiciary.

In terms of the task order emphasis on strengthening criminal case management, a strengthened criminal justice system requires effective management, organizational cultural transformation, and effective

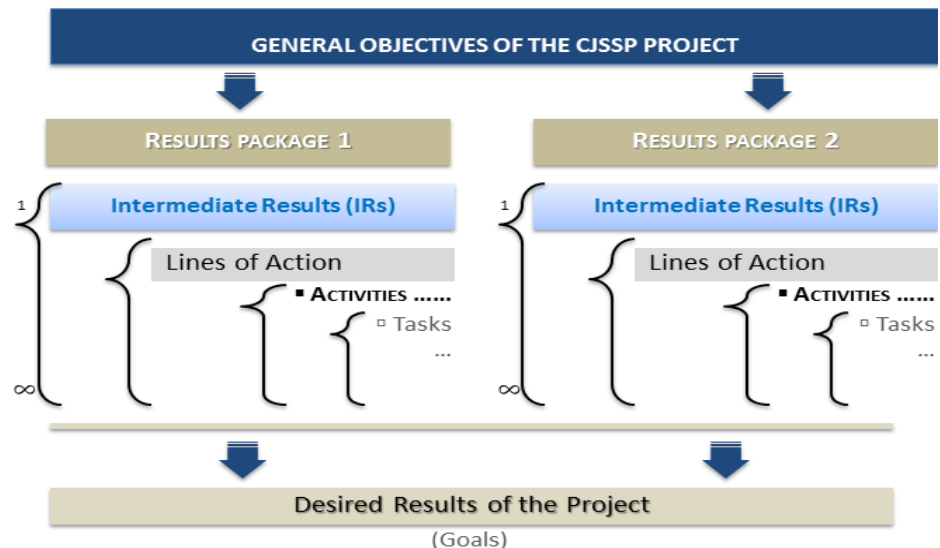
communications (organizational, interinstitutional and public information and education), and therefore CJSSP implementation will align to the programmatic areas portrayed in the graphic, below.



III. GUIDE TO START-UP / QUARTERLY REPORT FORMAT

Conceptual Structure of the START-UP REPORT

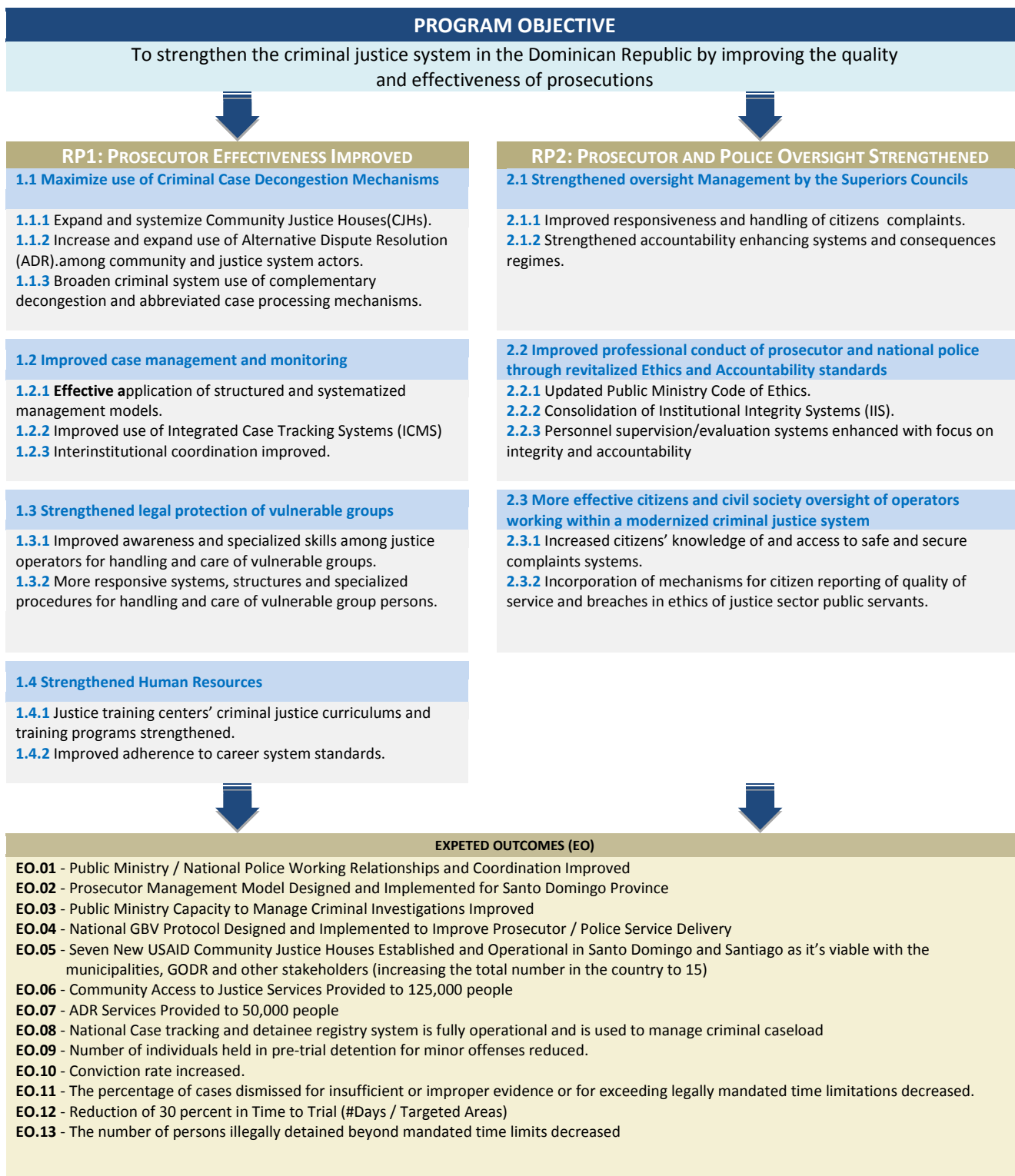
The conceptual structure of this start-up and future Quarterly Progress Reports is tightly aligned to the USAID-approved CJSSP workplan with associated results package goals. Lines of action initiated and/or in progress and results achieved (outputs and outcomes) will be reported within the same framework as the workplan.



The overall objective of the Project is supported by two **Results Packages** (RP1 and RP2). As structured in the workplan framework, each package consists of a group of **Intermediate Results** (IRs), each of which generates a set of lines of action and associated activities that contribute to their achievement. The

Project startup report and subsequent quarterly reports will summarize progress towards achievement of these objectives at the Intermediate Results level.

IV. RESULTS FRAMEWORK OF USAID | CJSSP



V. ADMINISTRATIVE START-UP OF PROJECT OFFICE IN SANTO DOMINGO

Milestones in CJSSP office startup

In mid-June 2015, Chemonics fielded a mobilization team to initiate Project start-up. The team was composed of members of Chemonics' home office Project Management Unit (PMU). Initial efforts were geared towards finding a suitable office space and finalizing contract negotiations for locally hired personnel, as well as procuring professional legal services for Chemonics registration in the Dominican Republic.

Chief of Party Ronald L. Glass arrived in country on July 12, 2015 and implementation officially began on July 13, 2015 along with Deputy Chief of Party Rosa Jimenez and Operations Manager Martha Contreras.

During the startup period, the field office's admin/finance team began work that included orientation meetings with USAID/DR, hiring of a local law firm, leasing a vehicle and setting up provisional office space in Naco, Santo Domingo, at the COP's temporary living quarters (photo at right)



At the end of this reporting period the following milestones have been achieved:

- Chemonics, Intl. legal registration in the Dominican Republic as a local branch to allow the company to enter into contracts and be able to operate in country
- Reactivation of Chemonics, Intl. National Registration for tax retention purposes and establishment of a mechanism to request tax exemptions for procurements at the National Directorate of Internal Revenue
- Lease and refurbishment of permanent office space, including the conditioning of a multi-purpose room with a sitting capacity for 24 people that will be used as an event room, conference room, and training facility for the Project and our partners
- Purchase of Project vehicle, IT equipment and software
- Recruitment of all administrative support positions, including Grants Manager, Administrative Assistant, Receptionist, Driver, and Concierge
- Transition of CJSSP staff to long-term personnel agreements and registration of employees in Social Security System
- Development of scope of work, and recruitment and hiring of Institutional Strengthening Specialist Thalia Goldberg
- Opening of local bank accounts for Project operations and grants
- Submission of Grants Manual to USAID and training of Project's Grants Manager

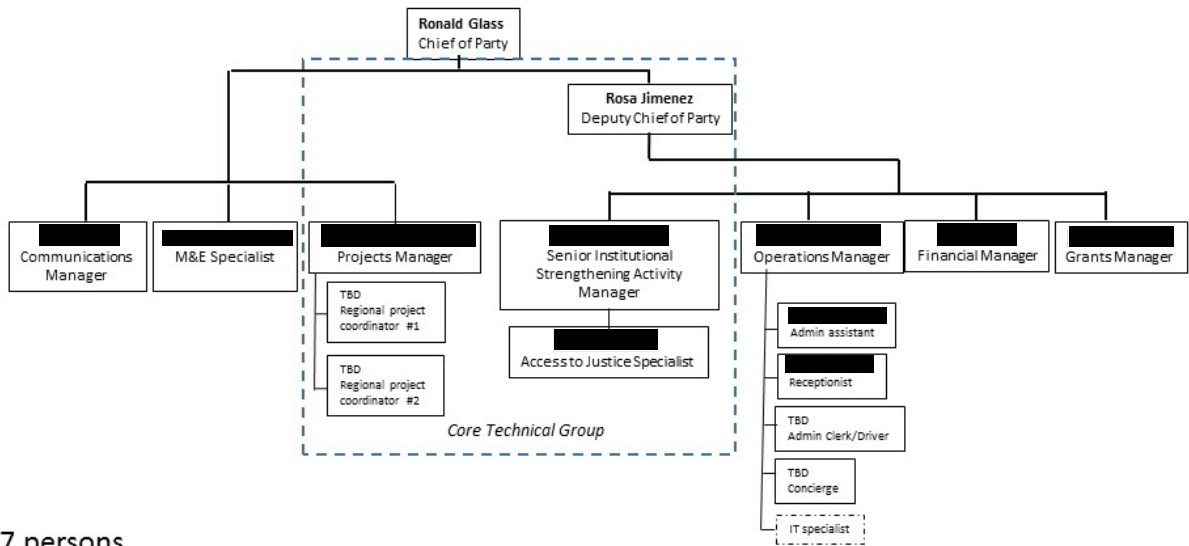
CJSSP Office Organization

The CJSSP Project Office staff organization, as of December 2015, is as portrayed in the following organigram



Criminal Justice System Strengthened Project

CJSSP Staff Organization



17 persons



CJSSP Project Staff at December 7, 2015 Office Inauguration Event

Inauguration of USAID CJSSP Project Offices

Official inauguration of the Project offices was held on the December 7, 2015 at Torre Piantini, Ensanche Piantini, Santo Domingo, Dominican Republic.

USAID Mission Director Alexandria Panehal and Dominican Republic Attorney General Francisco Domínguez Brito addressed some 80 justice sector leaders at the office inauguration. Invitees attending included: former Vice President, Senator and justice

reform champion Dra. Milagros Ortiz Bosch; the National Chief of Police and other high-ranking police officials; Directors of the National Schools of the Public Ministry and the judiciary; other distinguished

magistrates; private sector and civil society leaders; distinguished lawyers; and other justice sector change agents. See Annex G, summary of the event for official inauguration of CJSSP Project offices, with list of attendees.



(Left to right) Chemonics International Senior Vice President for Latin America and Caribbean Mauricio Gutierrez; USAID Project Manager Lissette Dumit; USAID Mission Director Alexandria Panehal; CJSSP Chief of Party Ronald Glass.

VI. GENERAL SUMMARY OF CJSSP RESULTS PACKAGES IMPLEMENTATION

Result Package 1 (RP1): Prosecutor effectiveness improved

As will be further detailed in the individual intermediate result narratives, below; during this reporting period, RP1 activities employed a mix of technical assistance, training and logistics support to key partner organizations essential to improving the effectiveness of the criminal justice system.

During this initial start-up period, particular emphasis was placed on training activities in three distinct training courses supporting improved effectiveness of Public Ministry prosecutors, specifically:

- A 16-hour training course for 755 participants introducing a new criminal code, and revisions in the criminal procedure code;
- A 32-hour training course for 28 Public Ministry forensics psychologists representing 18 victim assistance units; and
- A 70-hour training course for 19 prosecutors on criminal case investigation and case preparation for litigation.

In addition, this report period CJSSP provided direct assistance for design of an ambitious set of activities to strengthen prosecutor (Public Ministry) management models and case management systems. Public

Ministry and police and other criminal system operators (the Public Defender's Office and judiciary) were consulted on needs and plans for integrated case management and case-tracking systems, and will be appropriately included in future activities as implementation advances in their respective results areas.

This report period, CJSSP provided grant award support to Participación Ciudadana for sustaining operations of seven community justice houses and addition of a new CJH resulting in operation of eight total CJHs at the end of the report period, and identification of a ninth Community Justice House to be established in Moca by the end of February 2016. Consultations with public sector and civil society partners emphasized the need to expand and sustain system(s) of accessible local community justice services. Therefore, concurrent with the grant to PC to fund CJH operations, CJSSP has begun exploring options for the Dominican government to integrate delivery of highly accessible community justice services through a more deliberate articulation of various service entities, including: community justice houses (CJHs), community centers for Citizen Security and Prevention of Violence (CSPVs centers), Court Family Centers, PM Victim Assistance Units, the Public Defender's Office legal assistance offices, community prosecutor offices (*Fiscalías Barriales*) and other government or civil society entities that provide services to expand legal assistance, use of conciliation and mediation services and other community justice services.

It should also be noted that some of these community-based functions, and particularly the CJHs and Ministry of Interior and Police CSPVs, can potentially serve as community resources for supporting community implemented violence and crime prevention initiatives.²

The CJSSP Project supports strengthening mechanisms for interinstitutional coordination among various justice sector organizations. This reporting period, consultations with stakeholders have included discussions on how to foster inter-institutional planning and functional synergies between the Public Ministry and police and forensics offices and officials, as well as with the Ministry of Interior and Police (MIP) which is considering a number of justice service provision services at the community level through new Citizen Security Violence Prevention Centers to be set up, under current plans, in up to 20 violence-prone communities.

Result Package 2 (RP2): Prosecutor and Police Oversight Strengthened

During the startup period, the focus on the RP2 programmatic focus area was largely limited to consultations to validate commitments of the PGR and Public Ministry to strengthening career systems, offices of the Inspector General, and internal affairs functions. Based on discussions with senior PGR officials, official requests for Project technical assistance to assess and design future assistance to the Attorney General's Office (PGR) and Public Ministry Career Office in support of RP2 objectives are expected to be formalized before the end of the 2nd quarter of FY2016, with program design focused on strengthening institutional prosecutor career, integrity and accountability (system of consequences) initiatives.

² The aggregate effect of success in these community level programs seeks more timely local-level resolution of disputes and grievances, and a reduction in prosecutor caseloads in the formal and still-cumbersome, congested, and delay-prone Dominican criminal justice system. Expanded community-based informal justice services, concurrent with more effective formal criminal case processing systems and management, will enable prosecutors to dedicate greater portions of their time and system resources to the business of prosecuting more serious high-impact and or violent crimes that have eroded public confidence in the Dominican justice system.

VII. WORKPLAN DEVELOPMENT – CONSULTATIONS AND IMPLEMENTATION

Maximizing Synergies and Coordination in support of CJSSP objectives

The CJSSP has operated with the conviction that partner ownership of programmatic processes and achievements is vital to longer-term institutionalized sustainability of the desired criminal system strengthening results. Therefore, consultations emphasized collaborative technical vetting of activity designs and consensus building. This process - lengthy and laborious – was judged critical to lay strong foundations for the Project by ensuring a critical mass of committed and supportive stakeholders.

The results of consultations with public sector and civil society partners are summarized in the table below.

Principal Dominican State Partners	Results of Consultations and CJSSP Assistance provided this reporting period
Attorney General's Office / Procuraduría General de la Republica See http://www.pgr.gob.do/	The Attorney General has personally expressed his support for and cooperation with the CJSSP Project, and helped facilitate access to other PGR and Public Ministry leadership. Numerous consultations with senior Career law and Integrity System managers within the PGR and Public Ministry confirmed willingness to partner with CJSSP in advancing progress in these areas.
Public Ministry/Ministerio Publico National District and Sto. Domingo (Provincial area) District Attorney	Visits and subsequent strategic visioning and planning with the two separate district attorney offices -- Santo Domingo (Metro) and Santo Domingo (province) -- resulted in agreements to cooperate with CJSSP followed by rapid identification and startup of technical and training assistance to leadership and the National Public Ministry School (ENMP), initiatives further described, below. Project rapid responses included approval of courses for up to 1,170 prosecutors for induction training and criminal code reform training.
Public Ministry Human Rights Unit La Unidad de Derechos Humanos del Ministerio Público	Meetings with the unit helped define opportunities to collaborate along a broad line of human rights protecting programs, to include support for GBV victim processing and grant support for COIN work to orient prosecutors to vulnerable group case handling.
National School of the Public Ministry/Escuela Nacional del Ministerio Publico See http://www.enmp.edu.do/	The CJSSP provided direct support for design of training curriculum in criminal investigation and criminal case litigation, while providing logistics support for criminal code training of prosecutors to be held throughout the country.
National Judicial School/ Escuela Nacional de la Judicatura http://enj.org/	The CJSSP established a cooperative relationship with the ENJ and provided financial support to the International Association of Women Judges (IAWJ) to visit the DR, ENJ and other organizations to develop plans for empowering women judges to exercise sectoral leadership in strengthening the State's responses during GBV case processing. A CJSSP grant for support to the IAWJ and ENJ is anticipated to be approved in late December 2015.
National Public Defender's Office/Oficina Nacional de la Defensa Pública http://www.defensapublica.gov.do/	This period, preliminary consultations with the Public Defender's Office leadership enabled partners and Project staff to visualize out-year assistance to the Public Defender's Office, and anticipates Project Year 2 (PY2) activities to strengthen their victim support role, as well as capacity to provide criminal defense to members of vulnerable groups who are targeted, often unfairly, in

Principal Dominican State Partners	Results of Consultations and CJSSP Assistance provided this reporting period
Supreme Court of Justice Suprema Corte de Justicia http://www.suprema.gov.do/	the criminal system. Meetings with the President of the Supreme Court, senior Court system administrators and career law managers find willingness to support CJSSP objectives where the focus on criminal system strengthening activities intersects with the court system areas such as community justice, alternative dispute resolution and protection of vulnerable groups.
National Police (DNP) Policía Nacional de la República Dominicana http://pn.gob.do/	In various senior leadership and strategic planning consultation meetings, and in close coordination with USAID and ICITAP, the CJSSP staff found the police leadership, as well as police reform advocates within the GODR, willing to initiate a close CJSSP working relationship in both Result 1 and Results 2 areas.
National Police Institute of Superior Studies/Instituto de Estudios Superiores (IEESPON) http://pn.gob.do/v2/Educacion/static/20100901-mision-vision-objetivos.ashx	Consultation meetings were held with the academic heads/directors of the six distinct National Police learning institutes, including the IEESPON, which is the highest educational and training entity of the National Police. Based on these discussions, and follow up with National Police leadership, it was agreed that police reform plans must necessarily enable spaces for in-service training and learning, analysis, planning, and monitoring trends in spheres of citizen security and criminality

In addition to the above, workplan development and or initial support activities were taken with some of the following Dominican civil-society organizations (CSOs), to include: PC, FINJUS, COIN, PACAM.

Principal Dominican Civil Society Partners	Results of Consultations and CJSSP Assistance provided this reporting period
Participación Ciudadana (PC) http://www.pciudadana.org/detalle/proyecto/casa_comunitaria_de_justicia-11	CJSSP and PC agreed to modest expansion and to undertake an assessment of systematization requirements for the CJH model. In addition, within weeks of contract implementation, CJSSP was able to issue a Community Justice House grant award to PC, to enable sustainment of operations for eight community justice houses.
Fundación Institucionalidad y Justicia (FINJUS) http://www.finjus.org.do/	This reporting period, CJSSP staff undertook a series of policy and program analysis, dialogue, and inter-institutional cooperation discussions with FINJUS, resulting in validation of workplan activity choices and agreement to cooperate on PM strengthening and, in collaboration with USAID led efforts, police reform issues.
Centro de Investigación y Orientación Integral / Observatorio de Derechos Humanos para Grupos Vulnerabilizados (COIN/ODHGV) http://coin.org.do/	Support of and training on access to justice for vulnerable groups, including LGBTI was the topic for consultation with COIN and led to COIN developing a concept paper and eventually a grant application for CJSSP funding their training of prosecutors and other criminal justice actors; in part, socializing these operators to specialized case management and handling issues supportive of LBGTI and or sex-worker victims of abuse within the criminal justice system and when seeking local community justice support. An Award is anticipated to be made as early as January 2016.
Patronato de Casos y Mujeres Maltratadas (PACAM) https://www.facebook.com/pacamrd	Support of and training on access to justice for vulnerable groups, including F/GBV was the topic for consultation with PACAM and led to PACAM developing a concept paper expected to lead to a grant application for CJSSP funding of their Family/Gender-based violence prevention training and certificate program. This training is for police, prosecutors and other criminal justice operators, and includes considerations for specialized case management of cases involving F/GBV victims. An Award to PACAM is

Principal Dominican Civil Society Partners	Results of Consultations and CJSSP Assistance provided this reporting period
	anticipated to be made as early as February of 2016.
Pontificia Universidad Católica Madre y Maestra / Centro para la Prevención y Resolución de Conflictos (PUCMM/CEPREC) http://www.pucmm.edu.do/investigacion/centros/ceprec	Consultations were held with the former leader of PUCMM/CEPREC on plans to provide alternative dispute resolution training and support; as well as potential for student monitoring of the case management system (CMS). Many of the actors involved in ADR have changed, therefore a decision was made to re-approach PUCMM after a more thorough mapping of ADR stakeholders and initiatives of various state and non-governmental organizations was completed.

In addition to the partners listed above, Project outreach was made to two of the most respected civil society reformer journalists in the Dominican Republic, and included influential members of the media such as Fausto Rosario Adames and Juan Bolivar Diaz.

Initial contacts were made to inform and orient them and seek their collaboration to inform and educate the public on justice system strengthening challenges and opportunities supporting achievement of Project goals.



Journalist and TV personality Fausto Rosario Adames with PC board members - Melba Barnet and Francisco Alvarez, and Attorney General Dominguez Brito at CJSSP office inauguration.

Cross-Project Coordination with USAID-funded “Civil Society Action for Security and Justice” Project

In addition to the collaboration for workplan development cited above, this report period CJSSP began to seek closer coordination with the USAID-funded “Civil Society Action for Security and Justice” Project implemented by *Participación Ciudadana*, known locally in Spanish language as PASJ.³

Focused on citizen security and justice sector strengthening issues, PASJ’s support for a robust civil society presence in security and justice sector-related roles of monitoring, assessment, public information and education, and policy and legal reform advocacy is expected to be complementary to the CJSSP focus on technical assistance and institutional strengthening of state justice system partners. In those instances where the PASJ is unable to offer needed resources for civil society accompaniment of CJSSP activities, then CJSSP may provide support to local NGOs through small grants or other instruments.

Donor Coordination

³ The objectives of the “Civil Society Action for Security and Justice” Project, known in Spanish as PASJ, are: a) To promote public awareness on crime and criminal justice; b) Promote information’s access and availability for victims and witnesses; c) Increase the use of public access to information to exercise social control actions and monitoring actors of the criminal justice system and the police; d) Encourage the participation of social organizations for the adoption of reforms in criminal justice and public safety systems. Synergies with CJSSP will be important to achieve effective equilibrium and articulation between the “demand” (civil society) and supply (state responses) aspects of criminal and community justice reform initiatives.

In terms of relations with other donor international assistance programs, CJSSP met with Spanish (AECID) and European Union cooperation, and a visiting World Bank (WB) consultant; the latter assessing opportunities for WB to support rule-of-law initiatives in areas complementary to USAID programming. Spanish cooperation has a relatively robust portfolio of support for the justice sector and has a record of providing well-received judiciary and PGR strategic planning assistance, upon which the CJSSP is able to build implementation action plans.

CJSSP staff have held multiple meetings with UNFPA staff to explore opportunities to collaborate on implementation of the UNFPA program for certification of police in management of GBV cases.

Finally, the CJSSP has offered to USAID to support, when requested, USAID justice sector donor group coordination activities to maximize donor coordination in the sector through information sharing, activity augmentation or deconfliction.

Grant Award Processes

Grant applications received this period corresponded to three Dominican civil society partners (PC, COIN and PACAM) and one U.S. NGO partner, the IAWJ. This reporting period, CJSSP awarded grants to PC, and IAWJ and was finalizing grant application reviews for COIN and PACAM.

As of the end of the reporting period, grant award processes were as follows for four active grant award actions:

a. Participación Ciudadana

Grant purpose - to enable continuity in the Community Justice House program.

Responding to the pressing need to ensure continuity of Community Justice House operations, and only six weeks after in-country activity start by the COP and new local CJSSP team staff – PC received a CJH system grant in the amount of US \$346,588, enabling sustainment and strengthening of the eight CJHs. The eighth CJH was inaugurated in the conflict prone La Cienaga community of Santo Domingo, which stands along the edge of the Ozama River.

In addition, and based on local commitments from both public and private sectors, PC and CJSSP reached consensus to establish the ninth CJH in the community of Moca, where local leaders and private sector commitments offer promising conditions for longer-term sustainability of the CJH. The Moca CJH is expected to launch no later than February 2016.



Inauguration of the La Cienega Community Justice House on August 4, 2015.
Attorney General Francisco Dominguez Brito and Santo Domingo District Attorney, Yeni Berenice Reynosa, cut the ribbon.

At the same time, CJSSP has completed the draft of terms of reference for conducting an assessment of CJH operations and services; the results of that assessment are expected to serve as a future framework for defining Project activities that improve CJH functional performance and sustainability prospects.

b. (US NGO) International Association of Women Judges (IAWJ).

Grant purpose - to support the organizations work with the National Judicial School (ENJ) to help judges, and particularly women judges, to assume leadership roles in strengthening the justice systems ability to manage F/GBV cases.

Based on a U.S. State Department earmark for this U.S. NGO, on December 24, 2015 the Project awarded a grant of US \$504,000 to "increase the capacity of judges to manage and adjudicate cases of family and gender based violence (F/GBV)"

The Project provided direct technical support to IAWJ for refining the grant concept, thus ensuring its concept and focus was consistent with Project objectives and due respect for grant activities to be closely coordinated with National Judicial School (ENJ) leadership, which holds responsibility for all training for Dominican judges.

To enable IAWJ to visit the DR and engage local DR partners on the substance and technical approach to grant implementation, the Project authorized pre-award expenses for up to US \$40,000. An IAWJ team visited the Dominican Republic from Oct 26 to Oct 30, 2015 and through



IAWJ leadership and expert technical staff visit the Dominican Judicial School in October 2015 to validate work planning for new CJSSP grant.

consultations held with local justice sector institutions was able to validate the grant implementation approach proposed.

Upon completion of IAWJ pre-award financial responsibility validating processes, the award was signed with IAWJ on December 24, 2015.

In addition to the above, during the startup period two additional grant awards were under consideration; one to COIN and the other to PACAM, as summarized, below.

c. Center for Integral Orientation and Research, Inc. (COIN)

Grant purpose - to enable the NGO to provide orientation to state actors on handling of vulnerable group criminal and community justice cases.

CJSSP conducted a number of meetings this startup period to explore the potential of COIN to serve as a specialized resource for training of police, prosecutors and other criminal system operators in efforts to improve protection of the rights of vulnerable groups, particularly LGBTI and abused sex workers, within the justice system where these two groups are frequently victim of less than equitable justice. As a result of these discussions, COIN submitted an application for a grant to CJSSP to enable them to support training, orientation and guidance to judicial institution operators with duties of managing cases involving LGBTI and or sex workers suffering inequities within the justice system. As of the end of the reporting period, COIN's grant application for a 12-month program in the amount of RD \$9 million (approx. US \$200,000), has been favorably reviewed and could be awarded before February of 2016.

d. PACAM

Grant purpose - to extend and amplify the organizations role in helping state entities to better respond to family and gender based violence (F/GBV) case processing.

CJSSP collaboration with PACAM, a Dominican organization which helps battered and abused women, has resulted in their submission of a concept paper which provides for PACAM to train justice system operators (e.g. police, prosecutors, forensics psychologists, community justice house operators, among others) to better manage domestic violence and gender violence cases. PACAM's primary clientele are battered and abused women, and the training of operators is designed to foster greater sensitivity and



(Photo, from left to right) PACAM's Wilmara Vázquez, Project's Coordinator; Yanira Lara, Executive Director; and USAID Mission Director, Alexandria Panehal.

knowledge of tools and techniques to reduce the potential of abuse victims being, once again, victimized by an insensitive judicial process.

VIII. ACTIVITIES AND RESULTS

Provided below are the most relevant activities and results for this reporting period.

Results Package 1 (RP1): PROSECUTOR EFFECTIVENESS IMPROVED

1.1 MAXIMIZED USE OF CRIMINAL CASE DECONGESTION MECHANISMS

PROGRESS DURING THIS PERIOD

1.1.1.1 Preliminary study of CJHs.

This period, CJSSP staff have largely completed drafting two Scopes of Work (SOW) for assessments/studies and CJH Systematization Guide that will inform future CJH system expansion and sustainability work.

Assessment of CJH Operational Effectiveness: This report period, CJSSP staff visited virtually all of the existing eight CJHs. Observations and analysis derived from these visits was used in drafting the terms of reference for future technical assistance to undertake a formal assessment of operational effectiveness and sustainability prospects of the eight existing CJHs.

CJH Systematization: Following the assessment, a systematization effort will be undertaken with CJSSP technical assistance. This effort will capture the lessons learned, and develop a “CJH Systematization Guide” and other CJH management and sustainability toolkits that will empower communities, municipalities and the Dominican State (Executive, Judiciary and Congress) to make informed decisions on expansion of CJH type services. The Guide will help stakeholders define decision points for establishing a community justice house, identify minimum thresholds for CJH establishment and services which should be found in all CJHs, as well as optional services tailored for populations with specialized needs, taking into account variances in community profiles, demographic idiosyncrasies and needs, and available resources.⁴

A multidisciplinary team will be used for both the Assessment and Sustainability Guide development efforts, the first which is expected to begin no later than March 2016.

⁴ While indeed individual CJHs offer services and functions tailored to the particular needs of the communities they serve, the argument can also be made that for the Dominican State to eventually institutionalize and sustain the figure of the CJH, in both law and accompanying national budgets, then core services and functions common to all CJHs, regardless of local additional service needs, will need to be defined. This will also require demarcation of the services to be provided by the “Community Justice House” system, as distinct from other community justice and social service providers. Developing a structured reference and accompanying baseline management model for CJHs, will facilitate future dialogue on GODR policy and planning for CJH type community services.

1.1.1.4 Community Justice House Management Model and Services Guide (CJHs) -

In consultations with PC and other partners this period, CJSSP staff began work on developing a SOW for design and publication of a Community Justice House Management Model and Services Guide (CJH-MMSG). While directed to documenting and introducing strengthened CJH Management Models that will serve as a CJH administration and management guide, this information will also be integral and introduced into the aforementioned Sustainability Guide.

The design of the CJH management model(s) will begin during the second quarter of FY16, however implementations of improved management models may not be started until well into the second year.

1.1.1.10 Grant funding to Participación Ciudadana for CJH operations

The previously cited six-month grant awarded to PC this period enabled sustainment of CJH operations to eight CJHs. A ninth CJH is scheduled to be inaugurated in Moca the next report period, before the end of February 2016.

In addition to funding CJH operations, PC will also use Project grant funding to update analysis on sustainability of an expanded CJH system, and for preparation of operating manuals for the CJHs as part of the Management Model improvement initiative cited in 1.1.1.4, above.

1.1.1.13. Development of a communications campaign to increase and promote the use of the CJH in the community.

Project communications implementation partner – Miami-based EDF Communications – has begun providing long-term communication and ICT technical assistance support. From December 1-4, 2015, EDF conducted an in-country survey of selected CJSSP partners’ communications approaches as part of a capability assessment effort. The EDF preliminary findings of partner communication “approaches,” based on visits and interviews with CJHs and cognizant officials of the PGR, Public Ministry and judiciary as well as with civil society partners PC, FINJUS, COIN and PACAM, will be finalized around January 2016.

Following meetings with cognizant communications officers and officials in partner organizations which included: community justice houses of La Joya and Cienfuegos (Santiago), Public Ministry, judiciary and civil society partners PC, FINJUS and COIN -- it became apparent that the CJSSP partner communication approaches have significant room for improvement. If CJSSP interinstitutional cooperation for criminal case management, and needed organizational culture transformations of partners are to be effectively realized, communication approaches of partners will have to be significantly strengthened.

1.1.1.14 Promoting Partnerships and Alliances

CJSSP is committed to promoting public-private alliances in support of CJSSP goals. This will be particularly important to the goal of CJH sustainability by Project's end. At the same time, the USAID experience around the world teaches that alliance building work is particularly difficult in the DG area.⁵

This reporting period, CJSSP staff began consulting with potential private sector partners such as former ANJE leadership, certain mining industries working in the interior, and other private sector leaders. It is too early to claim commitments of support, but public-private partnerships and alliances for supporting community-based justice services will continue and expand over the next quarter. We anticipate that by the 3rd quarter of FY16, CJSSP technical assistance will be offered to develop a CJH "Guide for Establishing Public and Private Sector Partnerships," a community justice houses guide and sustainability tool document in which five types of CJH partnerships or alliances will be considered, specifically: community partnerships, alliances with government organizations, partnerships with NGOs, partnerships with the private sector (probably under CSR contributions), regional and sectoral partnerships, and partnerships with agencies and or related institutions of the international community.

1.1.2.4 Support for local efforts to update and revise a draft bill for Alternative Dispute Resolution (ADR)

Although this activity includes the provision of CJSSP consultant technical assistance, the PC grant also includes funding for complementary analysis and consensus building activities seeking improvements in the draft bill proposal(s) under consideration.

FINDINGS AND CHALLENGES

- The grant to PC included activities for development of operational manuals to foster use of best management and financial practices, vital to sustainability goals which include seeking non-grant funding of CJH operations, i.e. through use of public sector funding and or regular fundraising with the private sector. PC will eventually need to divest themselves of the considerable technical, operational, administrative and financial responsibilities of managing the CJH system. However, like a proud mother resistant to the idea of a child leaving the nest, PC will need to relinquish ownership of the CJH system and promote independence of CJHs from PC management and reliance on international donor grants.

ALERTS

- This period CJSSP shared with PC concerns that some PC staff were being billed to Project at 100% of their time for CJH operations when in fact they may be dedicating significant time to other, non-Project, activities, and with modest deleterious impact on Project administration

⁵ The purpose of the "CJH Alliance Building Guide" will be to support building of public-private partnerships in CJH operations -- provide tips, resources, and information that removes some of the mystery behind alliance building in the local governance and community development DG sector. Additionally, we will strive to inspire and stimulate interest in actively seeking CJH alliances, by providing partnership examples from around the region and the world, to help local communities think creatively about designing alliances address key challenges found in community justice houses. The Guide will draw upon USAID's work in Global Development Alliance (GDA) models of alliances. See USAID's "Building Alliance Series: Democracy and Governance", Wash DC, 2009 found at https://www.usaid.gov/sites/default/files/documents/1880/Democracy_Guide.pdf

efficiency. The observation has been raised to PC leadership, and we have received assurances that the percentage of time dedicated and billed to the Project is as represented. We will be attentive to the issue over the next period.

NEXT STEPS

- Competitive contracting of TA for the analysis and systematization of CHJs identified in the workplan under Activity 1.1.1.1
- Assessment and evaluation of CJH operations
- Contracting of the CJH sustainability study
- Promote conformation of a National Committee for establishing management and sustainable expansion strategies for CJH type services, and also validate CJH management models

1.2 IMPROVED MANAGEMENT AND TRACKING OF CASES

PROGRESS DURING THIS PERIOD

1.2.1.1 Planning.

During the period, Project staff working with PGR staff and other sector partners supporting the Public Ministry (MP) Strategic Plan, identified essential assistance and sequence of activities. The result of this collaborative effort during elaboration of the CJSSP Project workplan was consistent with the needs and expectations of the partners of the sector justice.

As a result of the process, Project activities plans were fine-tuned during various partner meetings and workshops, and these refinements are now found in the lines of action as reflected in the 18-month workplan period (June 2015- December 2016).

1.2.1.2 Prosecutor Office Management Models in the Santo Domingo Province - (Analysis, Design and Adaptation for other jurisdictions)

Santo Domingo

Based on CJSSP Project staff technical consultations with National District Attorney (DA) Magistrate Yeni Berenice Reynoso and her team and as evidenced by analysis of DA office case load and process indicators; the potential for the National District prosecutor office developed model was seen as well suited to serve, with refinements, as a preferred prosecutor management model worthy of systematization and replication in other jurisdictions. This model has evolved over the years as a result of previous USAID justice program technical assistance to the Public Ministry.

Both CJSSP and the DA office have agreed that the management model and best practices of the DA's office should be fully documented, then systematized through development of guides, tools and or

manuals that can help operators adhere to the models and procedures. This guide and related tools will enable other jurisdictions to replicate the model.⁶

To operationalize the CJSSP/DA office agreements, DA Reynoso formed a task force for the systematization process, which will be responsible for documentation and formalization (official approval) of the improved management and process models.

Once a management model systematization guide is published, the effort will shift to promoting use of the improved alternative for larger offices, and its institutionalization as a substitute for the current official model, which has only been implemented in smaller jurisdictions.

Santiago

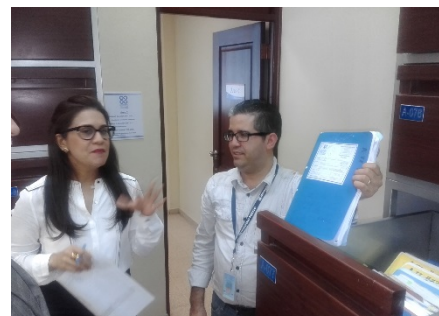


CJSSP COP Ron Glass and District Attorney (Fiscal Titular) of Santiago, Magistrate Luisa Lizano.

On December 22, 2015, CJSSP Project staff visited Santiago District Attorney (DA) Magistrate Luisa Lizano and her team to seek cooperation on the effort for systematization of a management model for criminal case high volume mega-urban district attorney offices. Based on her own extensive experience in refining the Santiago DA management model, DA Lizano extended her enthusiastic support and leadership for the CJSSP supported initiative comprising the Santo Domingo and Santiago Districts. With both the Santo Domingo and Santiago DAs actively supporting the effort, under current visionary leadership, the

CJSSP is prepared to intensify management model and criminal case administrative systems strengthening efforts in the 2nd quarter of FY16.

To operationalize the CJSSP/DA office agreements, DA Lizano designated a four-person task group to work with the CJSSP and the Santo Domingo DA office for the systematization process.



Santiago DA Luisa Lizano and staff show their current “active criminal cases” filing system to CJSSP staff.

Public Ministry Career and Integrity Systems

In addition, and important not only to this activity, but also future

⁶ To support this effort, CJSSP will provide short-term technical assistance (STTA) for documentation and systematization activities. CJSSP assessing the effectiveness of new model(s), their applicability to large prosecutor offices (e.g. National District of Santo Domingo and the Santiago province) and adapt models to offices of other characteristics in size and composition. In all cases the work planned will be technically vetted with key stakeholders and a critical implementation route and schedule socialized with delegates of participant organizations/offices integrated into the work teams (among the proposed for inclusion of delegates are the National Criminal Prosecution Office (de la Dirección Nacional de Persecución del MP) and the Santo Domingo province Attorney’s Office (la Procuraduría Fiscal de la Provincia de Santo Domingo.)

Results Package 2 Career and Integrity System strengthening work -- General Directorate of the Public Ministry Career (hereafter referred to as the PM Career Office) has actively been incorporated into the technical workgroup. The PM Career Office assigned a permanent delegate to the Project work team and actively participates in meetings and supports the technical work team.

1.2.1.4 National Police Management Model, and

1.2.1.5 Activities supporting the National Police Reform process.

Coordination with USAID/ICITAP on the Police Reform Effort: Consistent with the objectives of both results packages – and following USAID technical guidance – the CJSSP has begun identifying those areas in which the Project is best positioned and resourced to provide complementary assistance to efforts to strengthen National Police capacity to fulfill its Public Ministry support function. This reporting period, substantive discussions and analysis on National Police reform have been held, variously, with the USAID funded International Criminal Investigation Training Assistance Program (ICITAP), Dominican National Police leadership, senior officials of the Ministry of the Presidency, cognizant Dominican legislators and civil society experts on citizen security and police reform issues.

From these consultative processes, it appears that CJSSP staff and resources are well placed and technically suited to augment various US Mission (INL and USAID/ICITAP) led efforts on a number of police reform fronts. In late 2015, demarcation of assistance areas to be provided from respective USG-funded entities was still being defined and discussions on the CJSSP role still in progress, but are likely to include calls for assistance in Project-related areas, such as: strengthening investigative police capacity to support Public Ministry prosecutions, empowering prosecutors to more effectively lead and coordinate the multi-institution/multi-disciplined criminal investigations team, and to do so at earlier stages of the investigative process. In addition, CJSSP offers organizational systems expertise that easily lends itself to augment other USG assistance programs in police management model assessment, planning, and performance tracking and evaluation processes.

Through the communications/ICT assessment undertaken by CJSSP partner EDF, the Project has already begun fostering informed multi-stakeholder dialogue and visioning of innovative tools, Information and Communication Technologies (ICT), and communications strategies that offer to empower more effective citizen oversight of police integrity systems.

1.2.1.6 Implementation of a Pilot Model for Community Violence and Crime Prevention in Ciudad Juan Bosch

As part of a Ministry of the Presidency initiative to resettle populations from conflict- and crime-prone urban zones, a newly constructed government subsidized residential Project is being established in the community of Ciudad Juan Bosch, east of Santo Domingo.



CJSSP has been asked to support a request of the Ministry of the Presidency for technical assistance to develop policy option analysis for community violence and crime prevention initiatives, which may include “community policing” or other citizen security initiatives.

This effort will likely focus on empowering local citizen councils and community revitalization and development committees to appropriately interact on citizen security and community policing initiatives.⁷

CJSSP developed a consultancy scope of work supporting the coordination of policy analysis and program implementation with the Ministry of the Presidency, with deliverables which include defining and seeking consensus on the pilot program for Community Violence and Crime Prevention.

1.2.3.4 Conceptual analysis and strategy for implementation of a GODR program "Citizen Security and Violence Prevention Centers (CSVP) managed by the Ministry of Interior and Police.

Constructing a sustainable model for Community based justice services

During workplan consultations and development, it became apparent that a number of community-based justice service offices, centers, or “houses” are emerging out of what are disparate initiatives of the Public Ministry, Ministry of Interior and Police (MIP), and civil society partners, and the USAID-funded CJHs. These various initiatives merit coordinated and articulated planning and budgeting processes, and integration and inter-institutional coordination will therefore remain an emphasis of CJSSP for local community justice service delivery requirements.

This report period, and based on stakeholder consultations, CJSSP staff conceptualized and completed a scope of work offering to provide three months of technical assistance to the Ministry of Interior and Police, i.e. as a means to begin the process of fostering a shared vision and unifying planning processes for sustainable justice service delivery at the community level. The MIP is reportedly in the final stages of approving the scope of work and affirming their participation in the effort to strengthen community level delivery of justice and other related services.

This reporting period, two consultancy scopes of work were developed that are destined to assist the efforts of MIP, National Police, Public Ministry, and other potential partners such as the Public Defender’s Office and the judiciary, to better define community justice service requirements. This line of work will help align respective community service plans and initiatives, with the aim of minimizing wasteful redundancies or excessive overlap of services in target communities as a means to rationalize use of scarce state resources.

This work will necessarily require undertaking an inventory of various institutional plans for expansion of MIP-coordinated community service centers and Community Justice Houses (CJHs).⁸

⁷ USAID/DR is funding ICITAP for implementation of a four year Dominican Republic “Institutional Capacity and Transparency Strengthening Police Reform Program” composed of four project components: 1) Development of the DNP’s Management Capacity, Minimum Standards, and Organizational Capacity Building to Strengthen Internal and External Oversight Practices; 2) Modernize the DNP’s Human Resources Department (HR) and Support Sustainability of Training Capacity in the DNP Training Academies, 3) Improve Police, Investigator, and National Prosecutor Communication and Coordination, and 4) Strengthen Community Relations Practices, Civil Society Coordination, and Police Services for Vulnerable Populations. The CJSSP and ICITAP programs intersect in a number of interdependent and mutually reinforcing programmatic areas, bringing USAID to emphasize the importance of close coordination and collaboration between the ICITAP and USAID CJSSP program. Specific areas for collaboration will be further detailed in individual activity description areas.

FINDINGS AND CHALLENGES

- The situation detected in the District Attorney’s office for the Province of Santo Domingo, during visits evidences the need for fostering specific “quick-fixes” as soon as possible. That office is overwhelmed by the large number of cases generated during a continuous inflow of new clients/users, exacerbated by the absence of effective management policies and structured procedures.



Long waiting lines at the DA Offices in Santo Domingo (Charles de Gaulle).

- On a visit to the offices of the Attorney for the Province of Santo Domingo, the need to urgently undertake file inventory and organization was manifest in the boxes of files lining the office corridors.



Files at the Santo Domingo Province Attorney’s Office (Charles de Gaulle).

⁸ Short-term interventions, to be completed in the first year include: 1) Assisting the Ministry of Interior and Police to maximize strategic and functional planning synergies with other “Community Justice” strengthening initiatives supported by the CJSSP, with the purpose of maximizing synergies of a planned network of MIP Community Justice Service Centers (also known as Violence and Crime Prevention Centers) with plans of other institutions to provide formal and informal justice services at community level (e.g. community justice house services, alternative dispute resolution services, attention to victims services, other specialized services, etc.) , and 2) Strengthening Human Institutional and Capacity Development (HICD) within the Ministry of Interior and Police as a means to enhance the institutions ability to accompany and integrate into broader inter-institutional planning processes, including the community justice strengthening initiatives mentioned above.

CJSSP has prepared scopes of work to begin assistance for a Public Ministry file organization effort in priority jurisdictions, i.e. similar to that previously supported by USAID around 2000 in its justice program in the judiciary (photos below show the “before” and “after” of the USAID Court Administration file organization process). A similar effort is proposed for elected Public Ministry jurisdictions.

COURT FILES 1998 – “BEFORE”



CIRCA 2000 “AFTER” USAID SUPPORT



ALERTS

Activities in the Provincial Prosecutor Offices of Santo Domingo (la Procuraduría Fiscal de la Provincia de Santo Domingo)

- During the process of construction and consolidation of activities (in contrast to the excellent relationship with the Santo Domingo metro area DA staff), it has been very difficult to obtain active involvement of the Assistant District Attorney of the Santo Domingo province office. In this regard, two informal meetings with the Provincial Prosecutor’s office resulted in agreements to deliver sets of documentation on protocol and data for the offices she manages, but as of the report closing period, responses have been spotty. With respect to the implementation of an improved management model in the jurisdiction of the Santo Domingo province, we will need improved cooperation to achieve Project management model objectives.
- While fully committed to active participation in refining design and systematization of an effective high-volume prosecutor office management model, both the District Attorney for Santo Domingo (Yeni Berenice Reynosa) and the DA for Santiago (Luisa Lizano) are subject to being replaced in CY2016. For that reason, designation of qualified staff, empowered to continue the process should one or both senior

Magistrates be transferred, will be essential early in the process, as will ensuring the management model systematization work is fully embedded within Public Ministry official planning for CY2016.

Police Reform

Consistent with the objectives of both results packages – and following USAID technical guidance -- the CJSSP has begun identifying those areas in which the Project is best positioned and resourced to provide assistance in support of US Mission plans led by USAID/ICITAP and INL among other U.S. Mission agencies. As of early December 2015, the enactment of a police reform law was a condition precedent to clearer definition and workplan development for CJSSP support for other U.S. Mission efforts.

NEXT STEPS

With CJSSP finalization of the technical assistance/consultant scopes of work for the efforts described above, contracting is expected to begin by the first few weeks of the next reporting period.

1.3 STRENGTHENED LEGAL PROTECTION OF VULNERABLE GROUPS

PROGRESS DURING THIS PERIOD

1.3.1.2 Grant to IAWJ to implement GBV training for judges.

This period, the concept for a US \$504,000 grant to U.S. NGO IAWJ was agreed to with IAWJ and USAID. A full application for a Project entitled “Building the capacity of judges to address cases of Gender Based Violence in the Dominican Republic” was received and reviewed in CJSSP committee, and a favorable decision was made for award following preaward adjustments in the technical proposal and a thorough financial responsibility review process. An award was made at the end of December 2015.

Summary of Visit – IAWJ (October 26th – 30th 2015)

IAWJ organized a pre-award field visit for the Project, which is designed to decrease the rate of case collapse on cases involving gender-based violence. In conducting its preliminary assessment, the IAWJ team visited a series of key public institutions to better understand existing coordination systems, actors involved, protocols for addressing GBV cases, as well as the various perspectives on the causes of case collapse and potential solutions.

The field visit provided an opportunity for the IAWJ team to meet with institutions and civil society, to provide information about IAWJ’s global and regional experience working on GBV issues, and to explain the current Project. In some cases, IAWJ received commitments from public institutions for future collaboration and coordination on the



Director of the National Judicial School Gervasia Valenzuela meets with IAWJ President Lisa Davis (middle) and USAID’s Lissette Dumit (right).

Project, including from the National Judicial School (ENJ) and the Supreme Court through its General Technical Directorate and the Constitutional Tribunal. In addition, the IAWJ team met with two of the judges who sit on the Needs Assessment Committee of the ENJ.

Other institutions, such as the National School of the Public Ministry (ENMP), and Attorney General's Juvenile Justice Department (*Departamento de Niños, Niñas y Adolescentes de la Procuraduría General de la República*), the Department of Women Affairs (*Departamento para Asuntos de la Mujer*), and the Specialized Prosecutor for Trafficking of Persons (*Procuraduría Especializada Contra el Tráfico Ilícito de Migrantes y Trata de Personas*) shared their experience and viewpoints, reports and statistics for their specialized sectors.

In addition, the IAWJ team met with representatives of civil society organizations and platforms that are working on providing services for victims (PACAM), drafting and monitoring the application of laws (FINJUS), and advocating for gender rights (CLADEM). These meetings proved useful in understanding the issue of GBV from actors working with victims and the public from outside of the judicial system. The primary take-away from the field visit was that there is expressed willingness on the part of public institutions leadership, including the highest levels of the judicial system, to address the diverse causes of case-collapse and provide the Project with the necessary backing in addressing this issue.

The IAWJ team meetings proved useful to meet with and present the Project to the chain of institutional actors involved so as to better understand how the various partnerships will serve to support the overall Project goal.

1.3.1.2 Grant award to COIN to train justice sector operators and CJH personnel on management of cases involving vulnerable groups and the LGBTI community.



After reviewing the capabilities of COIN to contribute to achievement of Project results in the area of legal protection of vulnerable groups, a grant application was requested from COIN. The application was reviewed by a CJSSP grant application evaluation committee. After a favorable application review process, a one year grant award is expected to be made to COIN towards the end of January 2016 in the amount of a peso equivalent of approximately US \$200,000 for a 12-month grant.

1.3.1.4 Grant to PACAM to strategically plan for expansion of assistance to F/GBV victims and train criminal justice sector and CJH operators in GBV.



After submitting a concept paper in a bid to receive a grant award, CJSSP has finalized a selection committee process finding that suggests a revised concept for grant activities, which focused on training of state actors and community justice house staff in management of Family and Gender Based Violence cases (F/GBV) will be an important contribution to achievement of Project goals. PACAM presented a first version grant application that is, after further deliberations and review of the Application Evaluation Committee, is in discussion with PACAM. A grant award may be approved before late March 2016.

FINDINGS AND CHALLENGES

- One of the side benefits of the management of the grants is that it requires organizations to undertake initiatives for meeting standards of efficient management, optimization of operations, and full documentation of grant recipient procedures, and ensuring accountability. During the process of consolidation of grants planned for the CJSSP, we have seen proposed recipients make major efforts to improve their own management and grant implementation planning capabilities. These challenges offer longer-term organizational development benefits in terms of improved funds management and program planning capabilities.

ALERTS

- None currently identified

NEXT STEPS

- Complete COIN and PACAM grant application processing.

1.4 STRENGTHEN HUMAN RESOURCES

PROGRESS DURING THIS PERIOD

1.4.1.5 Specialized training in Criminal Code and Criminal Procedures Code reforms.



This period the CJSSP provided funding for 20 courses of 16 hours each (*See Annex C, Calendar for Criminal Code Workshop*). Of an originally planned 1,170 prosecutors scheduled to attend, the ENMP completed training for 755 officials.

These courses were national in geographic scope, and were taught in the localities of: San Juan de la Maguana, Distrito Nacional, Monte Cristi, la Vega, Barahona, La Romana, Santiago, Puerto Plata and San Francisco de Macorís

Course support materials – 1,170 copies of the new Penal Code (Law 550-14) – were published with Project support and made available for distribution to participants. The course outline (draft) and its development program are provided in this report at Annex D.

1.4.1.13 Course of Criminal Investigation and Litigation Skills

CJSSP international consultant Ana Montes provided technical assistance to the ENMP for design of a course on Criminal Investigation and Litigation Skills. The ENMP initially planned for this 70-hour course to be given jointly to prosecutors, forensics experts and police over a ten-day period. However, to be able to arrange the participation of members of the national police in compliance with USG training regulations, police are not expected to be included in the training until iterations of the course currently scheduled for the April/May 2016 timeframe. In view of National Police and forensics personnel of INACIF not being able to participate in this first iteration, course content was reshaped and strengthened in the prosecutor litigation skills areas.



Prosecutor graduates of the two week Criminal Investigation and Litigation Course – December 11, 2015.

Prosecutors were brought into Santo Domingo from throughout the country to attend the course, which was conducted at the ENMP facility in Santo Domingo. The costs of accommodations and transportation of these personnel were covered by the CJSSP.

The course was video-recorded and the ENMP is to make the instruction available to a broader audience of Public Ministry prosecutors through virtual long-distance/online virtual streaming.

The course was given over a period of two weeks to 25 prosecutors, the first week (five days) on the role of prosecutors in criminal investigation, and the second week on litigation skills.

PROSECUTOR TRAINING PRIORITIES:

CJSSP criminal investigation and litigation training for Public Ministry prosecutors was initially designed on the assumption that all or most prosecutors had had some instruction in proper roles, functions wherein the prosecutor controls the legality of the process. Based on findings coming out of the course, however, CJSSP and the ENMP have identified a need to reinforce curriculum content and training plans responding to critical weaknesses in prosecutors' understanding of roles, functions and associated professional integrity standards via-a-vis interactions with the police.

This activity emphasis will also link to IR2.2, below.

A copy of the course curriculum is provided at Annex E.

Public Ministry School (ENMP) training of Forensics Psychologists

During the period covered by this report, the CJSSP in collaboration with ENMP and UNFPA, provided logistical support enabling the participation of 28 forensic psychologists in a four-day forensic psychologists course at the ENMP facilities.



CJSSP-supported course for Public Ministry forensics psychologists

1.4.2.9 Specialized Technical Investigations Corps of the Public Ministry

At the request of the Attorney General and in response to the need to fulfill PM organization structure and requirements as stipulated in the Organic Law of Public Prosecutions (Law 133-11), CJSSP has begun providing technical assistance to the AG office for six tasks:⁹

- Design the organizational and functional structure of the Specialized Investigations Technical Corps of the PM.
- Provide specialist employee job profiles for each of the functions identified in the structure.
- Recommend and document policies and general principles of operation of Specialized Investigations Technical Corps (of the PM).
- Design a competitive personnel selection and induction process that ensures personnel are qualified under rules conformed to the public prosecutor career system and its organic law.
- Design and document Specialized Position Manuals which include the function requirements of each of the PM Specialized Technical Investigation Corps positions.
- Review, assess and make recommendations on adaptation of the Presidential Decree for creation and implementation of the PM Specialized Investigations Technical Corps.

Notwithstanding the request and preliminary technical assistance undertaken, it appears that there is need for further technical analysis and validation of various proposals and plans for strengthening the General Directorate of Criminal Prosecutions and potentially creating a new Technical Investigation Unit. For sustainability of either initiative, broader institutional ownership and consensus will be essential, as will be a rigorous process of strategic planning for institutional development.

⁹ This work was originally scheduled to take place in October 2016. At the request of the Attorney General's Office, and with the approval of USAID, the effort was brought forward in the schedule to the period December 2015/ January 2016. The new timing for task completion responds to the Public Minister being particularly keen to start the Investigation Corps recruitment process as early as January 2016.

FINDINGS AND CHALLENGES

- The inability to respond in a short-term period to an ENMP request for inclusion of National Police in the joint investigation course, underlines the need to identify students potentially subject to Leahy vetting processes.
- Close training coordination with the National Police through USAID and ICITAP will be a regular requirement for CJSSP.
- While training for the new reformed Criminal Code had begun, and only weeks before it was scheduled to go into effect, the Dominican Constitutional Court ruled that the new Criminal Code (Law 550-14) was unconstitutional in at least four of its articles. This caused the ENMP to delay future courses, pending the entire law being sent back to the National Congress. While this may pose a temporary set-back to related training schedules, the courses completed with some 755 prosecutors was deemed very useful in advancing the knowledge and skills of prosecutors to implement the new codes. (see Alert, below, for additional information)

ALERTS

- As this report was being prepared, the Constitutional Court of the Dominican Republic issued a ruling declaring the new reformed Criminal Code (Law 550-14) unconstitutional. This ruling referred specifically to articles 107, 108, 109 and 110 (on legalization of abortion under three grounds defined in the standard). When this ruling was made public, activity 1.4.1.5 courses had been almost entirely completed, with only eight courses remaining (see courses suspended table). As a result, it was agreed with the ENMP to continue the courses already begun but suspend the eight courses remaining to be started. Since the actions of unconstitutionality referred only to the above-mentioned articles, all the remaining training focused on the non-questioned contents of the code. The Public Ministry School expressed great satisfaction with the courses completed (see letters from the ENMP, EMDP-DG-1651-15 and EMDP-DG-1651-15, communications on the subject from the Director of the ENMP (provided at Annex F).

TABLE OF COURSES SUSPENDED AS A RESULT OF CONSTITUTIONAL COURT RULING ON CRIMINAL CODE (LEY 550-14)

Place	Number of Persons	Dates
LA ROMANA	60	10-11/12/15
LA ROMANA	60	17-11/12/15
SANTIAGO	65	17-18/12/15
PUERTO PLATA	40	15-16/12/15
SAN FRANCISCO DE MACORÍS	40	15-16/12/15
NATIONAL DISTRICT	50	08-09/12/15
NATIONAL DISTRICT	50	15-16/12/15
NATIONAL DISTRICT	50	17-18/12/15

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- Funds and resources contracted for the suspended courses will be reassigned to other trainings provided by the ENMP and will be appropriately referenced in the next quarterly report.
- Despite adequate planning and administrative protocols being used for police participation in courses, there are no guarantees that the PN will promptly identify participants and or ensure full compliance with data provision and other requirements established for the process.
- The need for intense and widespread prosecutor roles, function, integrity and ethics training is pronounced.

NEXT STEPS

- Establish with the ENMP a strategy to redirect short-term available resources earmarked for new Criminal Code training, the latter which was suspended.
- Arrange with the Public Ministry a list of proposed National Police training participants to be vetted under Leahy process requirements, i.e. for courses similar to the “joint investigations and litigation skills” course under activity 1.4.1.13, then schedule a second round of training.
- Advance planning with the ENMP and Public Ministry Career Directorate to reconstruct training and functional performance evaluation plans that emphasize correct concepts of prosecutor roles, function, integrity and ethics in joint work with the national police.

RESULTS PACKAGE 2 (RP2): PROSECUTION AND POLICE OVERSIGHT STRENGTHENED

2.1 STRENGTHENED OVERSIGHT MANAGEMENT BY SUPERIOR COUNCILS

PROGRESS DURING THIS PERIOD

None to report for this period under this intermediate result area.

FINDINGS AND CHALLENGES

- Maximize synergies and complementarity of CJSSP Project technical focus with other civil society programs offering to support civil society participation in advancing reforms. The close coordination and articulation of the technically focused CJSSP with civil society programs led by organizations such as PC and FINJUS, Colectiva Mujer y Salud, Centro Bonó, among others, will be critical to ensuring the respective programs mutually reinforce messaging, and avoid contradictory messaging in what should be mutual and coordinated efforts to promote citizen security and justice sector reform strengthening.

ALERTS

- Need for deeper and more regular synergy building with USAID funded programs for PC and FINJUS in Citizen Security and Rule-of-Law areas.

NEXT STEPS

- Promote shared knowledge and community of learning between the above mentioned programs.

ALERTS

- Need for deeper and more regular synergy building with USAID funded programs for PC and FINJUS in Citizen Security and Rule-of-Law areas.

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NEXT STEPS

- Promote shared knowledge and community of learning between the above mentioned programs.

2.2 IMPROVED PROFESSIONAL CONDUCT OF PROSECUTOR AND NATIONAL POLICE THROUGH REVITALIZED ETHICS AND ACCOUNTABILITY STANDARDS

PROGRESS DURING THIS PERIOD

This period we have held consultations with Directors of the ENMP Public Ministry and ENJ National Judicial Schools and Directors of the Career Offices of the Public Ministry and judiciary as we begin to address integrity and ethics training and support for strong career systems that emphasize accountability and integrity. From preliminary discussions, it is evident that the nexus of Institutional Career Offices, Inspector General Offices, and other offices with internal affairs and investigations will be central to holistic and integrated approaches to achieving the IR2.2 result.

In addition, the aforementioned findings of serious deficiencies in prosecutor mastery of concepts of prosecutor roles and functions vis-à-vis the police establishes a technical interdependence prosecutor training (see IR1.4.1.13, above) and the goals of IR2.2 for revitalized ethics and accountability standards.



Working lunch with Directors of PM Career Office and ENMP and ENJ justice schools

FINDINGS AND CHALLENGES

See the cautionary note found at 1.4.1.13 above, on the challenges related to what some might describe as a “perverse symbiosis of dysfunctionality and distorted roles between prosecutors and police.”

NEXT STEPS

- Await results of enactment of police reform bill prior to beginning work to assess implementation opportunities.
- Cautiously continue probing on potential to strengthen role of Ombudsman in collecting citizen complaints on CJSSP related police and Public Ministry integrity.

2.3 MORE EFFECTIVE CITIZENS AND CIVIL SOCIETY OVERSIGHT OF OPERATORS WORKING WITHIN A MODERNIZED CRIMINAL JUSTICE SYSTEM

PROGRESS DURING THIS PERIOD

Assess the capacity of Ombudsman and GODR General Directorate of Ethics and Integrity (DIGEIG) to partner with CJSSP.

In an effort to measure the degree to which citizens file complaints against police, prosecutors and other criminal justice sector officials, CJSSP initiated contact with the National Ombudsman office (DP - *Defensor del Pueblo*). The DP role in receiving and taking action on citizen complaints of public service officials, includes criminal justice system operators, to include Police and Public Ministry.

The Ombudsman office in most countries is potentially an important partner in its role as an independent and vigilant entity representing citizens as it denounces public sector ineffectiveness, corruption or abuse. CJSSP will continue to cautiously engage with (only) the second tier operational staff of the Ombudsman office, and may provide some modest technical assistance to help the organization develop strategic vision and plans that potentially would be supportive of CJSSP activities promoting citizen monitoring and reporting on levels of integrity and abuse of citizens by police and other justice system actors.

Meanwhile, it remains too early for CJSSP to determine to what degree a second institution, the GODR General Directorate of Ethics and Integrity (DIGEIG), may be positioned to partner in this integrity and ethics result area. This will be an area explored during consultations in the next reporting period.

ALERTS

In the Dominican Republic, the Ombudsman (*Defensor del Pueblo*) has been subject to criticism because of what many argue was a leadership appointment outside of constitutionally stipulated norms. It has been a largely silent partner on major national issues of waste, abuse and fraud. While office staff appear to genuinely try to attend to individual citizen complaints, it would seem to do so without an overall strategic direction and purpose that would frontally tackle significant shortfalls in governance.

In summary, under current leadership and its only real tool being “moral authority,” the Ombudsman office appears to be struggling to living up to its Constitutional mandate in defense of citizen interest vis-à-vis major governance and corruption challenges.

Communications that empower partner organizations and citizens

The CJSSP supports strengthening mechanisms for inter-institutional coordination, including complementary and mutually-reinforcing communication strategies, among various justice sector organizations and civil society partners. This includes creating development of CJSSP Project supporting communication strategies and synergies between the Attorney General’s Office (*Procuraduría General de la República*), Public Ministry, judiciary, the Public Defender’s Office, Ministry of Interior and Police (MIP), and National Police with a number of Project-related partners and initiatives.

From December 1-4, 2015, CJSSP undertook an expert partner communications approaches assessment, using task order partner EDF communications expert (and President of EDF) Erich de la Fuente who conducted structured interviews/surveys of civil society partners PC, FINJUS, COIN and PACAM as well as of Public Ministry and Judicial leadership.

CJSSP/EDF approaches communication across three dimensions:

1. *Internal Institution Communication approaches* designed to promote within individual organizations the necessary organizational culture transformation and provide technical information related to Project activities. Audiences here include officials and employees participating in CJSSP or other reform/capacity building initiatives in areas such as organizational capacity building, reform of functional processes, in-service, and orientation on professional responsibilities, behavioral change, values and ethics.
2. *Interinstitutional or cross-agency justice sector communications approaches*, that help the various sector actors and justice reform task forces (e.g. police, forensics, prosecutors, public defenders and judges, and civil society organization partners), to not only be knowledgeable and up-to-date in their respective task areas, but also identify with their shared multi-discipline purpose of implementing an improved, reformed and strengthened criminal justice system to Dominicans.
3. *Citizen Participation through ICT*: Finally, while all partners need to develop public information and education strategies suited to their respective justice mission imperatives, opportunities abound to use new and innovative information and communication technologies (ICT) to promote citizen participation in monitoring or reporting threats to security, or in reporting justice sector deficiencies and or sector related corruption.

The technical assistance for assessing partner current capacities will guide future design of assistance to strengthen their future communication strategies and abilities to implement effective communications.

The EDF communications assessment of partner capabilities also looked at use of ICT for advancing Project results, and the final assessment report (expected in January of 2016) is expected to include recommendations on suitability of a range of ICT tools, such as crowd sourcing to report abuses by state actors of vulnerable groups, and or to enable citizens to report on integrity of public officials (e.g. police, prosecutors, community justice house staff, etc.) as monitored and reported by citizens and portrayed in crowd source mapping.

FINDINGS AND CHALLENGES

- Preliminary results indicate partner use of new and innovative communications approaches is uneven, some more sophisticated than others, but conceptualization of internal and interinstitutional communications is limited and use of ICT is not yet optimized.

ALERTS

- No activities conducted this period under this result area – nothing to report.

NEXT STEPS

- Await results of EDF assessment of partner capacities and approaches to employ effective communications and ICT strategies.