

Addressing Violent Crime against the Poor

O righteous God, who searches minds and hearts, bring to an end the violence of the wicked and make the righteous secure. —Psalm 7:9

Introduction

On an afternoon several years ago in the poor, dusty Tegucigalpa neighborhood of Nueva Suyapa, and two gang members smashed in window of a parked car and methodically ripped out the radio. Dozens of neighbors saw them do it—the whole process took over an hour.

In order to protect AJS staff and beneficiaries from possible reprisals, many of the names of people and places in this chapter have been changed. The real names of all the people and places described in this chapter are recorded in AJS's internal files.

On another afternoon, a man with a violent temper attacked a teenage neighbor with a machete, literally hacking her head off and leaving her bloodied body crumpled in the street. Again, there were dozens of witnesses.

And in the morning of another day, a self-styled vigilante accosted an adolescent said to be a gang member, tied the youth's hands behind his back with a rope, and marched him for half a mile past scores of people, homes, and businesses, and a public soccer field where a game was going on, to a hillside where the vigilante shot the youth in the head, killing him instantly.

Dozens of people saw these crimes. But, at least at first, no one reported them to the police. The people who witnessed these crimes, though fed up with the violence plaguing their neighborhood, were painfully aware of the reality that in Honduras' poor neighborhoods, reporting a crime to the police is often more likely to result in retaliation against the witnesses than incarceration of the perpetrators.

In lieu of a trustworthy and effective justice and law enforcement system, most residents reacted to violence and gang activity simply by keeping quiet, sticking close to home, and keeping a low profile. Some silently supported a smaller group who took justice, violently, into their own hands. Unfortunately, both keeping quiet and enacting vigilante justice perpetuated the cycle of violence instead of breaking it

But over the last three years Nueva Suyapa has experienced a remarkable change. Today, friends once again dare to visit each other and children, to play on the street, after dark. New businesses have opened and stay open well after sunset. A few years ago property values had plummeted and people were fleeing the neighborhood. Now property values are up and people are moving in. Nueva Suyapa residents have less of a hunted look in their eyes, and more are now proud rather than embarrassed to tell others where they live. *Shalom* is being restored.

How did this change happen?

AJS empowered Nueva Suyapa residents and law-enforcement officials to respond to violence in a healthy, legal, and effective way. AJS has done so by forming close ties with victims and witnesses, protecting their identities, and making sure they work only with trustworthy officials; investigating crimes that severely under-equipped police do not have the will or capacity to handle, then helping them use the information uncovered to plan arrests; and by helping prosecutors plan legal strategies and win convictions.

As a result, justice has been done for dozens of victims of rape and sexual abuse, robbery, assault, and murder. Over a dozen gang members who terrorized Nueva Suyapa's residents through robbery, extortion, rape, and murder are in prison serving sentences or awaiting trial. AJS is working with police to locate the man who committed the horrific machete murder. Seven vigilantes who executed various adolescent gang members are serving out sentences of 30 years or more. Murders, assaults, and robberies have significantly decreased. Nueva Suyapa has become a safer and more peaceful place to live. Nueva Suyapa residents now feel empowered to respond to rape, sexual abuse, murder, and other sorts of violence in a healthy, legal way—instead of suffering in silence or retaliating violently against the perpetrators. And police, prosecutors, and judges have come to believe that they and the institutions they work for actually are capable of doing justice for poor victims of violence.

While Nueva Suyapa has been a focus point of AJS intervention on behalf of poor victims of violence, AJS has also made waves in addressing violent crime elsewhere. For example, in 2007 AJS efforts led to the first-ever conviction in Honduras for violators of juvenile inmates' human rights. And in 2008 AJS made possible the arrest and conviction of three incestuous sexual abusers who lived in a mountain village so remote that law-enforcement officials did not have the resources to get there on their own.

Aid for Poor Victims of Violent Crime: Overview

Objective:

Provide aid to victims of common and organized violence and empower communities to take action to promote peace and security.

In its first three years, the project has focused especially on reducing violence in Tegucigalpa's poor Nueva Suyapa neighborhood (pop. 35,000). Nueva Suyapa was chosen as the pilot community for this project because of the high levels of crime it suffered (in 2005 it was identified by police as being among the most dangerous neighborhoods in Tegucigalpa), because AJS was already carrying out other projects in Nueva Suyapa, and because a number of AJS staff and board members lived there and felt a personal responsibility to help neighbors who had lost confidence, possessions, and even family members due to violence carried out by local gangs.

Thanks to AJS's intervention, gang crime has diminished significantly in Nueva Suyapa, and AJS's interventions there have now begun to target rape and sexual abuse, which are still big problems.

Problem:

Extortion, robbery, rape, sexual abuse, assault, and murder at the hand of local gangs, vigilante groups, and even family members are the order of the day in Honduras' poor urban neighborhoods. When AJS began addressing violent crime in Tegucigalpa's Nueva Suyapa neighborhood in 2005, the murder rate was approximately 91/100,000— about twice as high as the murder rates in Baltimore, Detroit, and New Orleans.

Yet most victims never report these crimes, believing law enforcement officials are ineffective and corrupt. Police, prosecutors, and judges have a hard time being effective when crimes are not reported and witnesses refuse to testify. Lack of training and resources and a sometimes crippling overload of cases are further reasons to overlook prestigious cases where both victim and aggressor are poor.

So crime victims suffer in silence while gang members and others continue to sow terror without fear of reprisal. Occasionally, community members explode in reciprocal violence, brutally murdering perpetrators—and sometimes, by mistake, innocents. The cycle of violence continues.

Solution:

Legal and investigative aid for poor victims of violent crime, close collaboration with police and prosecutors to ensure arrests and convictions of perpetrators, and promoting coverage of the results in the media.

Holding perpetrators of violence accountable and preventing them from committing further crimes is a crucial first step in restoring *shalom* to violence-wracked communities. But further steps are required. Lack of occupational, educational, economic, and recreational activities, and a feeling of lacking a respected place in society as a whole, contribute to youths' decisions to join gangs and participate in violence. Extreme individualism and a breakdown in trust among neighbors empowers those with criminal tendencies to act with impunity. For *shalom* to be restored, these problems must be addressed. To this end, AJS has developed a program that works with at-risk youth in Nueva Suyapa and elsewhere to teach them leadership skills and help them organize events and activities that provide healthy opportunities for education and recreation. AJS also collaborates with other organizations that provide education, health, economic, and other services in the communities.

Methods:

- Gathering evidence through private investigation and work with witnesses and informants.
- Helping police with planning and logistics.
- Helping prosecutors formulate arguments and legal strategies.
- Working with contacts in the media to make sure arrests and convictions are publicized—thus demonstrating to the public that the justice system can work properly and at the same time dissuading potential perpetrators.

Success:

- Murder rate in Nueva Suyapa lowered:

| Year | Nueva | Honduras |
|--|-------|----------|
| Homicide lowered 60% in Nueva Suyapa while rest of country increased by 85% | | |
| 2005 | 35 | 2,417 |
| 2006 | 28 | 3,018 |
| 2007 | 23 | 3,574 |
| 2008 | 14 | 4,473 |

- 70-member network of collaborators formed
 - 117 arrests in cooperation with police
 - 52 cases with convictions (81 individuals convicted)
 - 4 cases resulting in absolutions (“not guilty” sentences)
 - 112 individuals in psychological therapy / counseling
 - 37 individuals have completed therapy
- A “Pilot Project” where the government of Honduras will implement strategies developed by PJ currently in discussion with Attorney General’s Office (MP) and Investigative Police (DNIC).
- First-ever conviction in Honduras of authorities who tortured and violated the human rights of juvenile inmates.
 - Historic conviction of a group of vigilantes who executed poor youths suspected to be associated with a local gang.

Project In-Depth

Philosophy

Poverty and adverse living circumstances have already made residents of Nueva Suyapa and similar communities feel powerless over many areas of their lives; the effects of robbery, extortion, rape, and murder, combined with law enforcement and justice systems infiltrated by corruption, lead these people to feel more powerless than ever to build a better future for themselves.

In response to this situation, AJS helps to *empower* individuals, communities, government officials, and government institutions to respond in healthy, legal, effective ways to violent crime.

Methodology

Taking on Cases

Violent crime cases are referred to AJS in a variety of ways:

- **Other AJS projects.** AJS gets word of many cases when victims visit satellite offices that AJS has set up in a number of impoverished neighborhoods offering legal and psychological counseling services.
- **Informants.** AJS receives tips from an extensive network of informants that AJS has developed in Nueva Suyapa, the impoverished Tegucigalpa neighborhood that AJS's violent crime efforts focus on.
- **Law-enforcement and justice officials.** Over the years AJS's legal and investigative staff have developed a very good reputation among the law-enforcement officials they work with. From time to time law enforcement officials will seek AJS's aid in pursuing cases that they feel are important, but that they do not have the time and resources to pursue without outside help.
- **The media.** Occasionally AJS first learns of violent crimes committed against the poor in the target community of Nueva Suyapa through media reports from the scene of the crime.

AJS would like to take on every single case referred to it, but due to restraints on time, resources, personnel, and capacity, this is simply not possible. Instead, each case referred is evaluated in terms of the following criteria in order for a final decision to be made:

- **Victim's Lifestyle:** A victim of violent crime who makes his or her living through licit means will be given priority over a victim who, through involvement in gang activity or other criminal activities, is also a victimizer.
- **Victim's Income Level:** Poorer victims are given priority over victims of greater economic means (who thus have a greater ability to hire private legal services, take safety measures, etc.)
- **Location:** AJS's violent crime efforts focus especially on one target community, an impoverished neighborhood in Tegucigalpa. Crimes committed in this neighborhood and victims who live in this neighborhood are given priority over others that may come to AJS's attention.
- **Type of Crime:** The more serious the crime, the higher the priority. For example, addressing a murder or a rape will be a higher priority than addressing a robbery or theft.
- **Profile of the Accused:** Contributing to the arrest and trial of perpetrators with a history of violent and / or criminal behavior will be a higher priority than addressing perpetrators who have committed crimes of passion or otherwise do not have a history of causing problems in the community.

- **Victim's Willingness to Testify:** AJS will be more likely to go forward with the case if witnesses are able to give clear testimony and are willing to give that testimony before the authorities.

Investigation

Once a case has been accepted, the AJS investigator works to discover and document information necessary to 1) back up the claims of victims and witnesses enough for an arrest warrant to be issued, 2) locate the perpetrator in order to arrest him or her, and 3) secure a conviction.

Identifying the Perpetrator

The first step is to clearly identify the perpetrator. If this is not done properly, all subsequent efforts will be doomed to failure. Often, victims of gang-related crimes know their victimizers by nickname and reputation, and sometimes by appearance. When AJS began addressing violent crime in Nueva Suyapa, the nicknames of many of the most feared gang members—nicknames like “Blondie,” “Joche the Goat,” “The Cat,” “Marero #2,” and “Blacky”—were well-known.

But far fewer people had a clue as to these individuals' real names, and this often caused serious problems when it came to legal matters. For example, on several occasions a feared gang leader known as “Marero #2” had been set free soon after being arrested because police did not have clear records or evidence of his full name and date of birth, and he often carried falsified papers or the ID papers of younger siblings. Trying to pass as younger than they really are is a common trick among gang members in Honduras—juvenile offenders are more frequently set free after being arrested, and if they are held, they are sent to Honduras' juvenile rehabilitation centers, which, while far from pleasant places, tend to be safer and easier to escape from than adult prisons.

AJS's investigative staff uses a host of methods to obtain the complete name and birthdate of the alleged perpetrators, including consulting police, school, and hospital records, and at times pretending to do surveys on behalf of the government or charitable organizations and, in this guise, directly asking the suspect's family members for his or her personal information!

Network of Informants

AJS's concentration on a single target community has enabled it to build up a substantial network of informants within the community. AJS legal and investigative staff involved in addressing violent crime in Nueva Suyapa keep in regular contact have built up trust with a range of collaborators and informants that includes both prominent community members (such as pastors, leaders of social organizations, and local business-owners) and people who spend much of their time “on the street.” AJS staff keep in contact with these informants through frequent visits and phone calls. The informants, in turn, alert AJS when crimes happen, provide tips and information on suspects, and help put AJS staff in contact with victims and witnesses.

AJS is careful to maintain relationships with a range of informants who do not know one another, or who are mutually unaware of one another's collaboration with AJS. Maintaining a variety of separate information sources helps AJS to evaluate the veracity of any given report.

Testimony

One of AJS's most important roles in both the investigative and legal phases of a case is witnesses' trust and cooperation. Due to the huge caseload police investigators deal with in Honduras and to significant limitations in terms of skills and equipment, forensic and scientific evidence is often scanty. Thus, the testimony of witnesses who were physically present at the scene of the crime, or who at least have personal knowledge of suspects' criminal tendencies, is crucial for obtaining arrest warrants and convictions.

However, working with witnesses is also one of the Honduran justice system's greatest weaknesses. With the sorts of crimes AJS deals with, victims and perpetrators almost always live in the same neighborhood or even on the same block, or are even members of the same family. Most victims and witnesses are very afraid of reprisals, and rightly so. Families of the accused regularly gather at or outside hearings to identify witnesses. Sometimes corrupt police officers tell the accused who is "snitching" on them. While Honduran law sets out guidelines for how witnesses may be protected, the Honduran Government does not have a witness protection program. Most potential witnesses conclude that testifying is simply too dangerous. Unfortunately, without their testimony, the State is usually unable to build a case strong enough to secure a conviction or even an arrest.

This is where AJS's participation is most crucial. Through its substantial network of informants, AJS is able to contact and build up trust with witnesses. AJS has developed its own witness protection program and thus is able to guarantee victims and potential witnesses that their decision to testify will help solve their problem by putting the perpetrator behind bars, and will not lead to reprisals. Unlike Honduras' police investigators, most of whom have hundreds of cases for which they are personally responsible, AJS staff are able to give more personal attention to witnesses. AJS legal and investigative staff make sure to keep witnesses encouraged and enthusiastic by calling them or visiting them several times a month, increasing to every week or more when trials are approaching. Because witnesses have built up trust and even a sense of friendship with AJS staff, they are more likely to agree to testify and to be confident when on the stand. AJS's thorough witness-protection program, which we will describe shortly, is also crucial in making sure important testimony is brought to the attention of the tribunals presiding over the trials.

Documentary Evidence

AJS staff often do the "boring" work of consolidating documentary evidence. This may include sifting through suspects' police records to compare records that may actually refer to the same person but be registered under different names or nicknames and finding photos that victims can use to identify repeat offenders. Other documentary

evidence obtained may include records from schools, hospitals, and the National Registry of Persons that help to clearly identify the suspect's true name and date of birth.

Forensic Evidence

In general AJS staff leaves the gathering and analysis of forensic evidence to government agents who have received special training in this area. However, AJS does apply pressure to make sure that forensic experts give adequate attention to AJS cases, and in some cases AJS has provided financial and logistical support to enable forensic tests to be done when agents lack sufficient funds or equipment. In many cases, potential forensic evidence is lost simply because victims, for example, of rape, are not familiar with the location of the forensic medicine office, cannot afford the bus or cab fare required to get there, or feel too intimidated to go by themselves. AJS helps victims overcome these hurdles by providing transportation and company for all such appointments.

Stakeouts and Undercover Operations

Once a suspect has been clearly identified, AJS's investigative team works to identify his or her residence and daily habits. This information can then be used to plan arrests. Occasionally AJS investigators go undercover in order to get closer to a suspect's home than would otherwise be possible. AJS investigators have posed as telephone company workers, census takers, and even veterinarians giving free pet vaccinations! AJS investigators also perform stakeouts, sometimes based out of the homes or offices of local collaborators.

Logistical Support for Authorities

In Honduras, most law-enforcement and justice officials are saddled by the twin burdens of huge caseloads (usually 200 – 400 active cases per official) and very limited resources. Given this situation, police and prosecutors are not likely on their own to dedicate the time and resources available to them to the sorts of cases AJS is interested—cases where the victims are impoverished people who live in out-of-the-way neighborhoods or isolated rural areas.

AJS changes the game in several ways. First, AJS investigative and legal staff do much of the police and prosecutors' work for them: investigating crimes; contacting and protecting witnesses; obtaining and organizing documents. Once AJS staff have built a case, they turn in extensive documentation to the authorities. With the lion's share of the work already done, authorities are often happy to do the fun parts: carrying out arrests and arguing cases in court.

Second, AJS helps fill in the gaps in the resources available to law-enforcement officials. When government vehicles are not available for carrying out searches, making arrests, and transporting witnesses, AJS rents vehicles for these purposes. When operations last all day or when law-enforcement officials must travel to other parts of the country, AJS also helps cover meals and lodging. AJS investigators always accompany the police in these efforts, enabling AJS to be sure that funds are being spent correctly.

While AJS does have several vehicles of its own, in general these are not used for helping law-enforcement officials do stakeouts or make arrests, nor for transporting witnesses—using the same vehicle over and over again would make it easier for criminals to identify AJS’s role in supporting law-enforcement actions, thus increasing the risk that AJS staff could be targeted for reprisals. By using rented vehicles, AJS keeps a lower profile, thus increasing security for AJS staff and contributing to the sustainability of AJS’s cooperation with law-enforcement agencies.

Arrests

Once the perpetrator has been clearly identified, a strong body of evidence linking him or her to the crime has been gathered, and the perpetrator’s residence, place of work, habits, and hangouts have been identified, it is time to make arrests. In order to obtain a search warrant, the prosecutor assigned to the case must make a formal accusation against the perpetrator. Usually the prosecutor does this based on the body of evidence supplied by AJS and police investigators. The prosecutor presents the formal accusation to a judge. The judge reviews the accusation and the evidence it is based on, and, if he or she deems that a case has been adequately made, issues an arrest warrant.

Planning Arrests

AJS’s investigative team, together with police agents, meticulously plans arrest operatives in order to guarantee the greatest possibility of success. Thanks to its wealth of experience in the target community, AJS is able to provide detailed maps showing how to reach the perpetrator’s home and detailing all possible access and escape routes. These maps are crucial given the twisting, maze-like layout of many of the neighborhoods in the target community and police officers’ lack of familiarity with the area.

Making Arrests

Police enjoy arresting people. Given an arrest warrant, a plan, and even logistical support, they are happy to go and arrest the perpetrators in an AJS case. As well as being saddled with huge casework overloads, Honduras’ police force suffers significant shortages of resources and equipment. Competition for the few vehicles available is high, and even if police assigned to AJS cases are able to obtain one they may not have the budget to fill up the fuel tank. Thus, yet another way that AJS helps law enforcement officers to do their jobs is by paying for fuel or in some cases renting vehicles for carrying out arrests.

The role of AJS staff in the arrests is that of guide and observer. Because they know the layout of the neighborhood much better than any police officers and because they have personally investigated and identified the perpetrator’s whereabouts, AJS staff frequently drive the vehicles (usually pick-ups) to the location where the arrest is to be made.

AJS staff also act as outside observers of the arrest process, helping to deter police from committing human rights violations against the perpetrators. In the Honduran

police sub-culture, and among the population in general, physical violence enacted by law-enforcement authorities against alleged perpetrators of violent crimes is often seen as acceptable. However, as a Christian organization AJS does not stand for this sort of behavior. Before arrests are made, AJS staff make it clear to police partners that certain standards of behavior are expected, and that if they observe flagrant human rights violations these will be reported to the officers' superiors.

Trial

Within 24 hours of being arrested, perpetrators must be presented before a judge, who decides whether there is sufficient cause to keep the accused in custody for one week until an initial hearing can be held. Because of AJS's diligent collection and presentation of evidence, the accused are nearly always ordered to be held. In the initial audience a week later, the judge decides whether the accused will be brought to trial, and if so, whether they will be set free until the trial begins or whether they will be held in custody. Because of the seriousness of the crimes, the criminal histories of the perpetrators, and AJS's diligent documentation and presentation of the evidence, perpetrators are nearly always held without bail until and during their trials. Due to the backlog of cases in Honduras' court system, the accused may have to wait up to 1.5 years in prison before their trials begin.

Coordination with Prosecutors

In Honduras, cases are automatically and randomly assigned to prosecutors through a computerized system. Once a case has been formally registered with Public Ministry (the Honduran government body in charge of public prosecution), AJS staff check with Public Ministry secretaries to see which prosecutor has been put in charge of the case. AJS staff then approach the prosecutor and offer their services. Most prosecutors are more than happy to accept: AJS has developed a reputation for diligent, committed, high-quality work, and even has signed an official agreement of cooperation with the Public Ministry—and given the overload of cases (prosecutors may be responsible for up to 400 cases at a time), most prosecutors are glad to accept help. In a few isolated cases, for reasons of pride and ego some prosecutors have not wanted to collaborate with AJS. In these cases AJS may try talking with the prosecutors' superiors or simply decide to focus their efforts on the investigative side of the case.

When prosecutors agree to accept AJS's help, AJS helps them to consolidate evidence, plan legal strategies, rehearse questions to ask witnesses on the stand, etc. Honduran law allows for private accusers to work alongside public prosecutors. However, in order to work as a private accuser, the party affected by the crime must sign a document granting power to the private accuser, and the defense has access to this document. Thus, in most cases involving protected witnesses, this is not a viable strategy. However, in cases where the affected party and primary witness will be obvious no matter what (for example, in cases of rape and sexual abuse), AJS staff often do act as private accusers. This gives them the advantage of being able to question witnesses and participate more intimately in prosecuting perpetrators.

Witness Protection and Preparation

In Honduras, official witness-protection measures are limited to the suppression of protected witnesses' names in trials and certain court documents (the judges and prosecutors have access to the witness' name and personal information but the defense does not) and the use of special booths that hide witnesses from view of those in the courtroom while they testify. Outside the courtroom, protected witnesses are on their own as far as the government is concerned—which of course is why many people choose not to testify even as protected witnesses.

But AJS has filled this serious gap in the Government's witness protection abilities by designing and implementing its own comprehensive witness protection program to make sure witnesses' involvement in trials is kept secret before and after as well as during the trial.

- **Locating Witnesses**

It is not unusual for witnesses and victims of violent crimes in poor neighborhoods to move out of the neighborhood soon after the fact due to fear of reprisals. Thus one of AJS's first tasks related to preparing for a trial is simply locating the witnesses—which often requires a whole investigative process of its own. Once witnesses are located, AJS staff talk with them about the need to testify and about all the measures AJS will take to protect them.

- **Obtaining Protected Witness Status**

Once witnesses agree to testify, AJS works to obtain protected witness status for them. If the judge deems there to be sufficient threat to designate the witnesses as protected, their names and personal information and the name they will be referred to with ("Protected Witness #37" or something to that effect) are recorded in a special register, and in all case-files and proceedings they are referred to only by their protected witness number. During trials, they are brought into a private chamber through a private, rear entrance. There they enter a wooden booth that has a darkly tinted glass window and are wheeled into the courtroom inside this booth to give their testimony.

- **Transporting Witnesses**

In order to guarantee witnesses' safety outside the courtroom, AJS takes charge of transporting them to and from the court. AJS always use rented cars for this purpose, which makes it impossible for community members, especially the family and friends of the accused, to identify or develop a suspicion about a given car. Often AJS arranges for witnesses to leave the community in public transportation, as if they were going to work or to do an errand, and picks them up at a previously designated point before taking them to court. Thanks to its close collaboration with the justice system, AJS has obtained the court's permission to park in a special, private area and enter through a private entrance, thus avoiding observance by friends and family of the perpetrators.

On certain occasions when a witness' departure from the community the day of

a trial has been deemed too suspicious, AJS has paid for witnesses to stay in a hotel the night before the trial. Witnesses and their families act as if the witnesses were out of town for the day.

- **Suppressing Physical Identity**

Honduran law permits the suppression of a protected witness' physical identity as well as of their name and personal information. AJS has creatively built on this allowance by using loose, full-body suits that make it nearly impossible to identify witness' physical characteristics. Witnesses put on these suits as soon as AJS staff pick them up to go to court. This ensures that their identities will be hidden even from bailiffs and other court staff—given the level of corruption in Honduras, one simply can't be too careful. Sometimes AJS's protected witnesses also use voice distorters on the stand in order to further hide their identities.



Because of high levels of corruption among Honduras' police force, at times the full-body suits are also used at early stages when victims and witnesses make declarations to the police.

The use of such identity-suppressing methods is an imperfect strategy, since it violates to some extent the right of the accused to know who is accusing him or her. However, the fact is that *without* the benefit of these measures, the risk of reprisals entailed by testifying is so high that hardly anyone would be willing to take the stand, and as a result, crimes would remain in impunity.

- **Preparing the Courtroom**

While one AJS staff member transports the witnesses and escorts them to the courtroom, another is already scouting out the entrance that witnesses have to enter through to see whether family and friends of the perpetrators are lurking around trying to see if they can identify the witnesses. If they are, AJS staff ask court security staff to remove the lurkers from the premises.

- **Preparing Witnesses**

Several days before trials or hearings are to be held, AJS legal and investigative staff meet with witnesses to rehearse their testimony. This is very important in order to ensure that witnesses do not alter their testimony or make incoherent or contradictory statements due to stage fright and/or feelings of intimidation at being in the same room with the perpetrator(s). AJS staff rehearse with the witnesses the testimony they will give, answers to potential questions from the prosecution and the defense, how to handle trick questions, and key points that must not be omitted. Rehearsing testimony in this way helps ensure that the witness' testimony makes the greatest impact possible.

Follow-Up

Psychological Counseling

While AJS legal and investigative staff help achieve justice for victims of violence, these victims often also have psychological and emotional wounds that need healing. An AJS psychologist is available to help them. AJS's psychological staff have worked most frequently with survivors of rape and sexual abuse, but are happy to counsel survivors of any kind of violence.

Caring for the Whole Person

AJS's ultimate goal is not to lock up criminals or win cases. It is to do justice for the poor and to recognize the image of God in its beneficiaries in a radical way. Thus, AJS's attention to poor victims of violence frequently spills beyond the boundaries of their cases. For example, one AJS lawyer recounts how he helped a teenager who was repeatedly raped by her father. The lawyer secured the arrest and trial of the father and helped the teen find another place to live while her father was kept under house arrest. But he also set school officials straight when, due to backward perspectives on sexuality (they said the victim would "lead her classmates astray" since she was "no longer a maiden") they tried to prohibit her from enrolling. AJS staff regularly help their impoverished beneficiaries cover basic necessities like school supplies. Funds for such activities are often taken from a Survivors' Fund supported by voluntary staff donations.

Respecting Perpetrators' Human Rights

While AJS believes that perpetrators of violence must be brought to account for their actions, AJS also believes that despite their actions, perpetrators are still Children of God deserving of a basic respect for their humanity. Thus, even while helping to secure their convictions, AJS takes measures to promote respect for perpetrators' human rights. In their collaborations with police and prosecutors, AJS staff always make clear from the outset that they work for a Christian organization and thus are dedicated to respecting human rights and doing everything in a just and legal manner. They also make clear that if their government collaborators fail to meet these standards, AJS will sever the relationship with them and may even report their misdeeds to their superiors.

In several instances AJS has gone even further to protect the human rights of perpetrators. For example, in a recent AJS case a male leader in an Evangelical church was arrested on accusations of repeatedly raping a teenage boy who was a member of the church and ordered to be held without bail. In Honduras, prisoners who are awaiting trial are most often held in the National Prison alongside other prisoners serving out sentences. Prisoners routinely abuse accused rapists in their midst, and the nature of this crime made the perpetrator a likely target for particularly severe abuse or even death at the hands of other prisoners. So in an initial hearing, the AJS lawyer acting as a private accuser in the case requested that the accused be held in custody in a local police cell instead of in the National Prison until his trial, and this request was granted.

AJS also worked to protect the human rights of a perpetrator in the case of Sandra, a teenage girl who was repeatedly raped by her father and brothers. (See feature on Sandra's case earlier in this chapter.) The youngest brother was the first to be convicted. While he had committed horrendous acts against his sister, he had in some sense also been a victim of the perverted example of his father. He recognized the error of his ways and was so regretful he had considered suicide. AJS recognized that this young man had potential to change and was himself in need of healing. But the juvenile rehabilitation center in the Tegucigalpa area, where policy called for the young man to be sent, is infamous for its internal gang violence, abusive staff, inhumane conditions—in short, for being the kind of place that will make a youth into a worse criminal, not rehabilitate him. So AJS requested that the young man be sent to a different juvenile rehabilitation center that is farther away but has a much better record. This request was also granted.

Staff and Beneficiary Security

Highlighting or Suppressing AJS Identity

In order to protect other AJS staff working in other projects in Nueva Suyapa and other communities, AJS staff generally do not tell victims and witnesses that they work for AJS. Instead, without going into further detail, they present themselves as being supported in their work by Christians in Tegucigalpa and around the world who are interested in addressing issues of violence and injustice. The idea is that if AJS's involvement in cases involving violent criminals became common knowledge in Nueva Suyapa or elsewhere, AJS staff who work "out in the open" in these communities could become targets for violent reprisals carried out by criminals and their friends. Because police tend to have close relationships with community members, and because there is an unfortunately high rate of corruption and criminality among members of the police force, AJS staff working on violent crime issues present themselves to police the same way they present themselves to community members.

On the other hand, when dealing with prosecutors and judges AJS staff clearly present themselves as working for AJS, since these officials tend to have less connections with low-level criminals and at the same time tend to be more scrupulous in deciding to work with outsiders. Nevertheless, AJS has won the respect of both the court system and the Public Ministry, with which AJS has signed an official agreement of cooperation.

Other Security Measures

We have already described the extensive measures AJS takes to protect the identity and physical integrity of survivors and witnesses.

AJS investigative and legal staff also take certain measures to protect themselves. For example, while AJS staff generally do not carry weapons, when they assist police in stakeout and arrest operations or when they are working in particularly dangerous areas, they often wear bulletproof vests.