

Making the Case

**ICITAP Helps Build a Culture of Quality
in Latin America's Forensic Community**

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Recommended citation:

Andrews, Alexandria Ernst, T. Albert Fujii, Cheonté Harding, Susan Lester, and Margaret Talley. 2020. *Making the Case: ICITAP Helps Build a Culture of Quality in Latin America's Forensic Community*. Washington, DC: Office of Community Oriented Policing Services.

Photographs taken by ICITAP staff of CSI training events in Baja California

Published 2020

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Introduction

The case: *U.S. v. David Enrique Meza*

On May 2, 2015, Mexican police in Los Arenales, Baja California, found an abandoned car with Texas license plates, pools of blood, and the dead body of a U.S. citizen in a ravine off the side of the road.¹ The police and the crime scene experts discovered that the victim, 51-year-old Texas retiree Jake Clyde Merendino, had been stabbed 24 times in an attack that left him nearly decapitated. Investigators soon found that the probable suspects in this murder were two San Diego residents: Merendino's partner, 25-year-old David Enrique Meza, and 20-year-old Taylor Marie Langston.²

On May 1, 2015, Meza and Merendino checked into a popular beach resort, Bobby's by the Sea, to celebrate closing on their new condo in Palacio Del Mar. At around 10:30 p.m., Meza left for the U.S. on his motorcycle—a gift from Merendino in 2014. At 11:00 p.m., border security cameras captured Meza entering the U.S.³

At about 1:00 a.m. on May 2, Meza returned to Mexico. Meza called Merendino, saying his motorcycle broke down on the side of the highway and asking Merendino to help. Merendino left Bobby's by the Sea, telling a security guard he was going to help a friend. At around 3:30 a.m., Mexican

Figure 1. Map of locations of interest for the case of *U.S. v. David Enrique Meza*

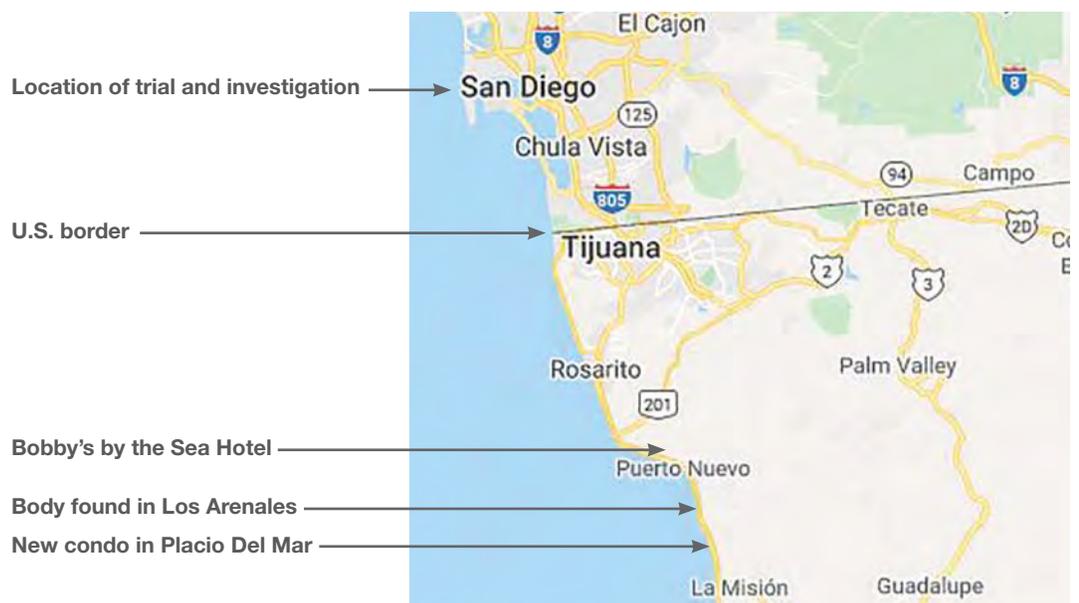


Image courtesy of Google Maps

1. Assistant U. S. Attorney Robert Ciaffa, "Imperial Beach Man Sentenced to Life in Fatal Stabbing of his Texas Boyfriend," DOJ press release, December 11, 2017, <https://www.justice.gov/usao-sdca/pr/imperial-beach-man-sentenced-life-fatal-stabbing-his-texas-boyfriend>.
2. Ciaffa, "Imperial Beach Man Sentenced" (see note 1); Christine Pelisek and Adam Carlson, "Man Gets Life for 'Near Decapitation' of Wealthy Lover—Which He Covered Up with Girlfriend," *People*, December 11, 2017, <https://people.com/crime/david-meza-life-sentence-murder-wealthy-male-lover/>.
3. Ciaffa, "Imperial Beach Man Sentenced" (see note 1).

police officers found Merendino's body, five minutes away from the hotel. At 3:57 a.m., Meza crossed back into the U.S. on his motorcycle.⁴

Although this heinous crime took place in Mexico, the victim and the suspects were all U.S. citizens, giving the U.S. a vested interest in prosecuting this crime—but prosecuting a crime involving the acts of U.S. citizens in a foreign country can be complicated. Hurdles in this type of prosecution most often arise when foreign forensic laboratories do not meet the standards required for their findings to be used in U.S. courts. In the Merendino case, effective prosecution depended on the initial response, investigation, and collection of evidence by Mexican authorities and forensic experts.⁵ Building on a preexisting pan-Latin American directive that began in 1986, the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) has, since 2009, provided funding to the Department of Justice's International Criminal Investigative Training Assistance Program (ICITAP) to work with Mexico's forensic laboratory system and help it attain international accreditation.⁶ Through this partnership, Mexican forensic personnel and expert witnesses received training and mentoring that strengthened the evidence used in the case.

This publication uses the case of *U.S. v. David Enrique Meza* to discuss ICITAP's forensic laboratory assistance program in Latin America and to highlight how important accredited forensic laboratories and trained and mentored personnel are in solving and prosecuting crimes, especially when they cross borders. First, we provide brief explanations of ICITAP's reasons for partnering with Mexico and other Latin American countries and the background of the forensic laboratory program. We then follow ICITAP's facilitation of forensic laboratory accreditation, its training and mentorship efforts for Mexican forensic personnel, and the culture of quality that promoted public trust of the judicial system and increased communities' acceptance of forensic evidence. Finally, we directly address the changes ICITAP's program made to the Latin American forensic laboratory culture, the sustainability of these changes, and the lessons that ICITAP can learn from this program. Throughout, we draw heavily on the responses to an open-ended email survey we conducted of forensic personnel at sites involved with ICITAP's accreditation efforts, and on the follow-up interviews we conducted with some respondents by phone. The survey instrument can be found in appendix B.

4. Ciaffa, "Imperial Beach Man Sentenced" (see note 1).

5. Ciaffa, "Imperial Beach Man Sentenced" (see note 1).

6. Greg Moran, "Trial Starts for San Diego Man Accused of Killing Rich Boyfriend in Rosarito," *San Diego Union Tribune*, April 11, 2017, <https://www.sandiegouniontribune.com/news/courts/sd-me-meza-trial-20170411-story.html>.

ICITAP in brief

ICITAP is a law enforcement development organization that strengthens national security by advancing U.S. law enforcement operations abroad. ICITAP works with foreign police, criminal and anticorruption investigative entities, border and maritime security forces, and forensic, cyber, and correctional agencies to build capacity in a comprehensive array of law enforcement subject matter areas. ICITAP is situated organizationally within the Criminal Division of the U.S. Department of Justice (DOJ). Since its creation in 1986, ICITAP has operated in more than 100 countries and has become an internationally recognized leader in law enforcement development and training worldwide.

ICITAP builds the capacity of foreign law enforcement partners to combat corruption, transnational criminal organizations, and terrorist networks. ICITAP's engagement with foreign law enforcement is an essential tool within DOJ's strategic arsenal—a capability that strengthens national security, advances U.S. law enforcement operations abroad, and protects the homeland in two ways:

1. Providing foreign countries with the means to investigate and prosecute transnational crime before it reaches the borders of the United States.
2. Providing the United States with effective and reliable foreign law enforcement partners to address transnational criminal issues that can and do reach the United States.

ICITAP's role

To reduce crimes like the murder of Jake Merendino, and to counter transnational drug crimes and other human rights abuses, ICITAP has been a key partner for U.S. assistance efforts in Latin America, such as Plan Colombia and the Mérida Initiative program in Mexico.⁷ Both of these programs focus on reducing crime and violence, as well as on strengthening transitioning judicial systems in the wake of reforms.

In June 2016, the Mexican government established reforms to implement an adversarial judicial system in place of its inquisitorial system. An inquisitorial system is a legal system where the court or a part of the court is actively involved in investigating the facts of the case. Under Mexico's old system, individuals could be arrested and held without bail, sometimes for years.⁸ And, as ICITAP's forensic experts found, the courts would direct the forensic laboratories on how to do forensic work.

In an adversarial system the role of the court is primarily that of an impartial referee between the prosecution and the defense; it does not actively investigate, but seeks to clarify facts. Within the adversarial system, results of forensic examinations conducted in laboratories accredited under international standards are viewed with more credibility.

In addition to the new legal system, Mexico's justice reforms regulate the recruitment, selection, training, and retention of law enforcement

7. "Western Hemisphere Programs," United States Department of Justice, last updated July 31, 2018, <https://www.justice.gov/criminal-icitap/western-hemisphere-programs>.

8. Clare Ribando Seelke and Kristin M. Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond* (Washington, D.C.: Congressional Research Service, 2017), <https://fas.org/sgp/crs/row/R41349.pdf>.

personnel by setting minimum training and quality standards. Newly established competencies required the professionalization of prosecutors, police officers, and forensic examiners. Prior to 2016, field investigators who collected and processed evidence at crime scenes, as well as forensic laboratory experts responsible for processing and analyzing evidence at forensic laboratories, were rarely subject to direct or cross-examination before a judge. Today, the new legal reforms have brought investigators and forensic experts into the court to defend the evidence that has been collected, processed, and analyzed. Not only are they required to testify in an ethical

manner; their credibility as witnesses, the scientific validity of their methods, the level of standards that govern laboratory practices, and the replicability of their findings are all subject to questioning by the courts.

By partnering with Mexican forensic laboratories, ICITAP hoped to create a culture of quality within the forensic community—one that the international forensic community would accept. By helping Mexican forensic laboratories gain accreditation, ICITAP hoped to promote the aims of the new adversarial system and thus reduce impunity throughout Latin America.



“The Place of the Facts”

Staff of the Attorney General’s Office in the State of Hidalgo being trained by ICITAP in crime scene investigation.

Source: *Hoy Novedades* (“Today News”). March 23, 2017.

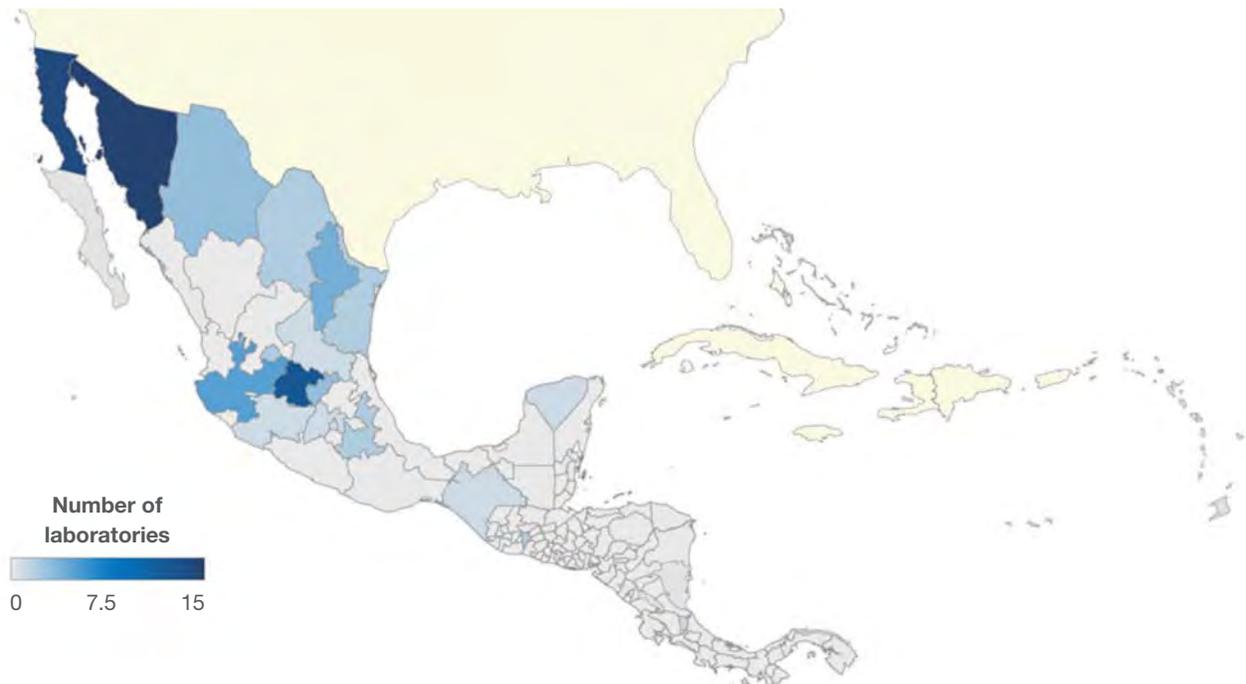
1

Aim One—Accreditation

The Meza investigation was complicated by the presence of evidence in both Mexico and the United States. In Mexico, the crime scene required a response from various forensic personnel, such as DNA and fingerprint experts.⁹ In San Diego, Meza left evidence for federal and local U.S. law enforcement to investigate, such as phone records and the victim’s belongings. In order to make the case for *U.S. v. Meza*, uniformity was needed across both countries’ law enforcement investigation efforts. This case suggests that uniform law enforcement protocols are crucial to ensuring an investigation’s viability.

ICITAP’s program in Mexico assists in forensic laboratories’ accreditation so that forensic experts from those laboratories can reliably collect and process evidence and testify to withstand scrutiny at trial. In Mexico, ICITAP provides assistance to the federal and state forensic laboratories, focusing on the standards issued by the International Organization for Standardization (ISO) through the ANSI National Accreditation Board (ANAB).¹⁰ With ICITAP’s assistance, 60 state and federal Mexican forensic departments have gained accreditation through ANAB (see figure 2). ICITAP’s program focused on

Figure 2. Number of ANAB forensic accredited laboratories in Mexico and Central America by state and country



9. Ciaffa, “Imperial Beach Man Sentenced” (see note 1).

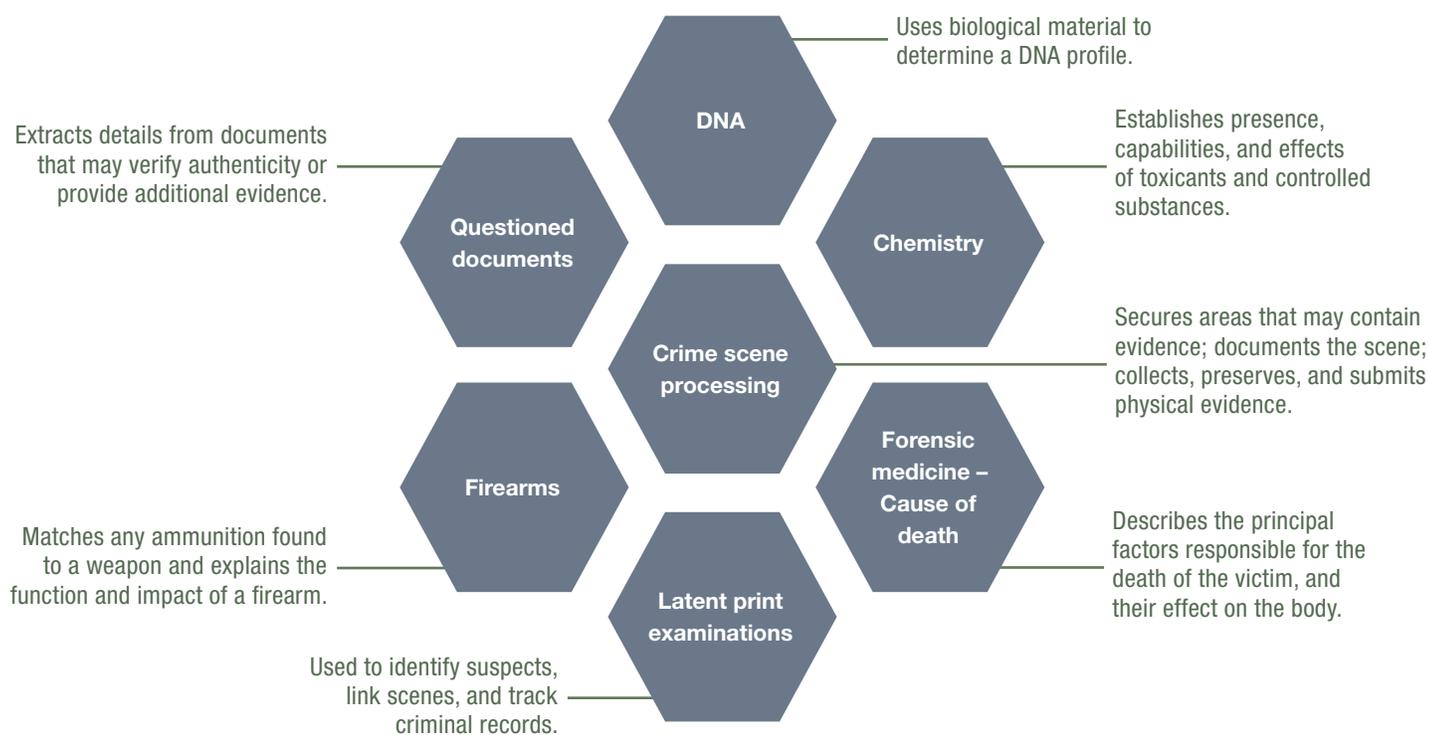
10. “Western Hemisphere Programs” (see note 7); “ANAB Accreditation and Forensic Reform in Mexico,” blog post, ANSI National Accreditation Board, accessed February 24, 2020, <https://anab.ansi.org/latest-news/anab-accreditation-and-forensic-reform-in-mexico>. ANSI is the abbreviation for the American National Standards Institute; ASQ for the American Society for Quality.

advancing international accreditation efforts in eight forensic specialties: DNA, toxicology, questioned documents, firearms, latent print examinations, drug analysis, crime scene processing, and forensic medicine (see figure 3).¹¹ Accredited laboratories can independently produce reliable evidence for transnational cases such as the Meza case.

ICITAP sought to work with laboratories in Mexico committed to achieving accreditation. ANAB accreditation enhanced these laboratories' existing quality assurance structures, rather than imposing a new structure. Where the

original ISO process presented 22,396 daunting International Standards in more than 300 ISO Standards catalogues,¹² ICITAP broke down the ISO requirements into three digestible sections: policies, procedures, and proof, or the "Three Ps." This framework makes implementing of ISO standards more manageable and straightforward by making them clear and comprehensible to laboratory personnel. A forensic expert in Mexico told ICITAP officials that the Three Ps resulted in laboratory personnel embracing the ISO standards because they more clearly understand the ISO process.

Figure 3. ICITAP Mexico forensic competencies



11. "Western Hemisphere Programs" (see note 7).

12. "Standards Catalogues," International Organization for Standardization, accessed November 12, 2018, <http://www.iso.org/cms/render/live/en/sites/isoorg/home/store/standards-catalogue/browse-by-tc.html>.

ICITAP’s program strengthens Mexico’s abilities to use and efficiently transfer forensic evidence across borders¹³—a necessity for successful prosecutions of transnational crime. With such crime increasing, internationally recognized accreditation is more important than ever.¹⁴ As one former lab director explained in the survey responses, when accredited laboratories use ISO standardized procedures, it creates a mutual understanding of how each individual laboratory analyzes forensic evidence. This allows effective information sharing among all accredited laboratories. According to the director of the Jalisco Institute of Forensic Science, accreditation means that “the opinions issued in our institution will be effective anywhere in the world.”¹⁵ In addition to making a lab’s data more credible in court, accreditation can also make it easier to access: One forensics expert in the Mexican legal system who responded to our survey (see appendix B) said that accredited laboratories are more prepared than non-accredited laboratories to share data.

The transnational case of *U.S. v. Meza* demonstrates how ISO accreditation increased one laboratory’s ability to share information and forensic evidence.¹⁶ Meza was convicted in a San Diego, California, court of law in 2017 for killing Jake Clyde Merendino in Baja California, Mexico.

In December 2016, the Baja California forensic lab had received ISO 17020 accreditation from ANAB, which allowed the evidence processed there to be used to prosecute the Meza case in the U.S. Meza’s conviction was possible only because of successful cooperation between Mexican forensic personnel and U.S. legal authorities.¹⁷ The Baja California forensic laboratory’s high-quality analysis of the evidence helped U.S. investigators and prosecutors build strong cases against Meza and Langdon.

For the Baja California forensic lab, gaining ISO accreditation was not without its challenges. One of the greatest of these was the resistance of laboratory personnel to using new procedures and techniques—a resistance compounded by the staff’s initial lack of trust in the institution’s choice to pursue accreditation. Forensic laboratory staff themselves stated in response to an ICITAP questionnaire that the most challenging aspect was the lack of “additional human resources to implement the system.” Staff also reported that law enforcement departments did not always understand the new requirements needed to meet ISO standards—for example, law enforcement agents might mishandle evidence before it could be properly tested. Legal and forensic experts in Mexico also told ICITAP that

13. Ekrem Malkoc and Wim Neuteboom, “The Current Status of Forensic Science Laboratory Accreditation in Europe,” *Selected Articles of the 4th European Academy of Forensic Science Conference (EAFS2006)* June 13–16, 2006, Helsinki, Finland 167, no. 2 (April 11, 2007): 121–26.

14. Laura Y. Calderón, Kimberly Heinle, Octavio Rodríguez Ferreira, and David A. Shirk, *Organized Crime and Violence in Mexico: Analysis through 2018*, Justice in Mexico (San Diego, CA: University of San Diego Department of Political Science and International Relations, 2019), <https://justiceinmexico.org/2019-organizedcrime-violence-mexico/>.

15. “Laboratorios del IJCF Recibe Certificación de EUA,” *W Radio México*, March 21, 2018. http://wradio.com.mx/emisora/2018/03/21/guadalajara/1521661712_769118.html.

16. *U.S. v. Meza*, Case No.: 15cr3175 JM (S.D. Cal. Apr. 7, 2017), <https://casetext.com/case/united-states-v-meza-63>.

17. *U.S. v. Meza* (see note 16).



CSI training session with the CSI experts in service with the Baja California Attorney General Forensic Services. Finger and palm printing exercise.

one of the largest challenges with implementing the accreditation process was a lack of proper infrastructure and budget for the program.

Assessing the impact of accreditation is an additional challenge—neither legal experts nor laboratory specialists have been able to ascertain whether forensic laboratory accreditation bears any responsibility for changes in prosecution or conviction rates, much less whether it has helped reduce crime rates.

However, an expert in legal forensics had similar concerns, but clarified that through new accreditation techniques there is documentation to show growing results of the accreditation programs:

“Because we are in the first years of the new [adversarial] system, it is very difficult to objectively evaluate the impact of accreditation in crime rates. But the laboratories we work with have shared with us some successful cases with the intervention of the forensic experts; as well we accredited tests that ended in a conviction.”¹⁸

18. Survey response (see appendix B for questions).

2

Aim Two— Training and Mentorship

When cases like *Meza* cross international borders, law enforcement agencies count on police and forensic personnel from each nation having similar law enforcement education so they can uniformly investigate the evidence. Such standardized training is particularly important in Latin American countries, where cases commonly span national and regional borders. ICITAP helps Latin American forensic personnel learn how to use forensic evidence throughout the entire forensic process, from collection at the crime scene through testimony at trial. ICITAP training and mentorship efforts in this area focus on building forensic competencies, strengthening the weight of evidence in court proceedings, and fostering leadership capabilities.

In service of this last goal, ICITAP facilitated the American Society of Crime Laboratory Directors (ASCLD)’s launch of a Leadership Academy with two Mexican and two Central American participants. ASCLD first taught this academy during the INL-ICITAP co-sponsored First National Forensic Sciences Symposium in Mexico City on August 7, 2017.¹⁹ The academy used the train-the-trainer model, in which those trained go on to train their subordinates. The coursework supplemented forensic science expertise with business and management concepts to help the laboratory managers run their laboratories more efficiently.²⁰ The business and management concepts covered included communication, personality attributes, conflict management, and team

We all benefit from such [international] exchanges, because, in the end, we are part of a larger team—one that aspires to combat transnational crime, seek justice for crime victims, and protect our citizens.

—Former Principal Deputy Assistant Attorney General
John P. Cronan, U.S. Department of Justice

19. U.S. Embassy & Consulates in Mexico. “First National Forensic Sciences Symposium,” accessed February 24, 2020, <https://mx.usembassy.gov/first-national-forensic-sciences-symposium/>.

20. “ASCLD Leadership Academy,” American Society of Crime Laboratory Directors, accessed October 3, 2019, <https://www.asclcd.org/meetings-and-training/asclcd-leadership-academy/>.



CSI training session with the CSI experts in service with the Baja California Attorney General Forensic Services.

Demonstration of latent lofoscopic print development, using chambers for cyanoacrylate fumes (*top*).

Demonstration of latent lofoscopic print development, using small particle techniques (*bottom*).

building. To deal with issues of cross-cultural communication, the ASCLD leaders followed ICITAP’s suggestion to use examples of businesses and political leaders who were culturally significant to their trainees instead of solely U.S.-specific examples—e.g., Benito Juarez instead of Abraham Lincoln. Participants in the academy spoke highly of the experience:

“The [Leadership Academy] was useful by giving me tools for self-development... and to improve the performance of group work. Additionally, there was value in the exchange of experiences with other forensic professionals and the construction of networking... Also, I was promoting change management within my laboratory to improve processes using this methodology. The goal was to convince them and to believe in the change and the improvement.”²¹

The Leadership Academy’s graduates have gone on to help teach the course at the second and subsequent annual National Forensic Sciences Symposia, “adapting it to the idiosyncrasy of the Latin American people.”²² However, all forensic laboratory leaders who answered our survey agreed that the training in communication skills was the key takeaway from the academy.

Better communication practices—both within and between laboratories—provide opportunities for forensic personnel to learn from one another. Prior to the accreditation of the ballistic laboratory in Costa Rica, several of its high-level staff had the opportunity to visit and observe the

21. Questionnaire response.

22. Questionnaire response.

ISO-accredited Jalisco Institute of Forensic Sciences in Mexico. The visit proved valuable in helping laboratory personnel understand previously vague concepts about validation procedures, in addition to clarifying other doubts. Furthermore, one of the visitors told ICITAP this exercise was a key factor in the Costa Rica laboratory’s becoming the first ANAB-accredited laboratory in Central America: “The increase in [our laboratory’s] efficiency is due to the clarification of concepts and conducting firsthand collection and analysis of evidence rather than receiving it after non-forensic-trained personnel have handled it. These efforts prepare personnel for

expert witness testimony where they present standardized procedures and results in the oral trials.”

Forensic advisors and subject-matter specialists from the U.S. and Mexico work in unison to provide laboratory staff with tailored, on-site technical training, assistance, and mentoring. In 2015 and 2016, ICITAP visited forensic criminology experts at the Mexican Attorney General’s Office in the state of Baja California for training in how to conduct crime scene investigations.²³ The primary objective of the training was to learn to find evidence subsequent analysis. To fulfill this objective, ICITAP staff evaluated parameters



Hoy/Avenidas ("Today News"), March 23, 2017

“The Place of the Facts”

Staff of the Attorney General’s Office in the State of Hidalgo being trained by ICITAP in crime scene investigation.

23. Ciaffa, “Imperial Beach Man Sentenced” (see note 1).



for optimal forensic work at the crime scene.²⁴ Training focused on international standards and practices for the analysis and processing of the place of events. The intensive course packed 115 hours of classes into two weeks, with lessons given on law, research methodology, administration of the place of the facts, topographic and photographic documentation, biological evidence, and the collection and preservation of footprints.

In total, ICITAP provided 82 forensic training sessions in Mexico, with 174 participants from Baja California graduating. Notably, some of these graduates were vital to the processing of the Meza crime scene. To date, ICITAP's crime scene investigation program has trained more than 2,300 experts and investigators in 20 of the 32 Mexican states and Mexico City.²⁵ After the initial round of training, the state employed the train-the-trainer method to continue to carry out the program's objectives.

CSI training session with the CSI experts in service with the Baja California Attorney General Forensic Services.

An exercise using a luminol solution to search for hidden blood stains (*top left*), alternate light sources to detect fluids on clothes (*middle left*), as well as fluorescent solution to develop and enhance lofoscopic latent prints (*bottom left*). This exercise includes the photographic documentation of results.

24. *El Informante Baja California Sur*, "Avanza PGJE en Acreditación Internacional en Servicios Periciales [PGJE Advances in International Accreditation in Expert Services]," October 16, 2017.

25. Ciaffa, "Imperial Beach Man Sentenced" (see note 1).

ICITAP’s successful mentorship and expert-led instruction sets an example for other regional and international laboratories to follow.²⁶ One survey respondent underscored the importance of replicating this training throughout Mexico and other Latin American countries, emphasizing that investigators should have the necessary skills to meet their responsibilities under the new criminal justice system. Likewise, then Principal Deputy Assistant Attorney General for the Criminal Division, John P. Cronan, applauded the commitment of these Latin American laboratories to promoting the quality and reliability of

forensic evidence, calling it “a commitment that is needed to ensure justice is served.”²⁷ Similarly, at the 2018 First Central America Regional Forensic Conference in Costa Rica, U.S. Ambassador Sharon Day highlighted Costa Rica’s role as a regional model for having the first internationally accredited forensic laboratory in Central America and being willing to share its experiences with its neighbors.²⁸ “It is only through broad cooperation that we can raise the effectiveness of judicial systems throughout Central America,” said Day.

26. U.S. Embassy & Consulates in Mexico, “Strengthening the Criminal Justice System through Police Training in Criminal Investigation Procedures,” November 30, 2016, <https://mx.usembassy.gov/strengthening-criminal-justice-system-police-training-criminal-investigation-procedures/>.

27. John P. Cronan, Remarks at the Second Annual Forensic Science Symposium, Mexico City, Mexico, August 20, 2018; Ciaffa, “Imperial Beach Man Sentenced” (see note 1).

28. U.S. Embassy in Costa Rica, “Regional Conference Gathers Experts in Forensic Science,” March 23, 2018, <https://cr.usembassy.gov/regional-conference-gathers-experts-forensic-science/>.

3

Aim Three— A Culture of Quality

After charging Meza, prosecutors began to assemble their case, which included forensic evidence as well as text messages and a suspicious will scrawled on hotel stationery from Bobby's by the Sea.²⁹ By early 2017, the U.S. prosecutors were ready. Acting U.S. Attorney Alana Robinson entered the courtroom of U.S. District Judge Jeffrey Miller in the Southern District of California and called her first witness: Mexican forensic expert Vivian Mariel Gurrola Perez. Ms. Perez provided crucial testimony on the appearance of two sets of footprints found at the scene.³⁰

The evidence presented in *U.S. v. Meza* was persuasive, in part, because the court found the Mexican forensic analysis and testing procedures to be trustworthy. One of ICITAP's aims in the Mexico accreditation program has been to ensure that the laboratories, the court system, and the public trust and value forensic evidence analyzed by accredited laboratories, by fostering a culture of quality. This is a concept promoted by ANAB, which defines a culture of quality as “the degree of excellence defining the characteristic features of and associated with the forensic service



Court drawing of witness testimony at court

Source: Paul Krueger and Andie Adams, “Couple Created Phony Alibi in ‘Love Affair Gone Wrong’: Feds,” NBC 7 San Diego, December 24, 2015, <https://www.nbcsandiego.com/news/local/David-Meza-Taylor-Langston-Created-Phony-Alibi-in-Love-Affair-Gone-Wrong-Feds-363494421.html>.

provider's work product.”³¹ According to ANAB, a culture of quality also includes “the quality of the work product, the employee's meanings attached to the work product, and how the work product is perceived internally and externally.”³²

Widespread public distrust of the judicial process in Latin America makes the trustworthiness of forensic evidence especially important. In Mexico, this distrust stems from concerns about

29. “San Diego Man Sentenced for Bizarre Baja Killing of Wealthy Texan,” NBC 7 San Diego, 11 December 2017, <https://www.nbcsandiego.com/news/local/San-Diego-Man-Sentenced-for-Bizarre-Baja-Killing-of-Wealthy-Texan-463483213.html>.

30. “Jury Finds San Diego Man Guilty of Murdering Lover in Mexico,” San Diego Tribune, May 2, 2017, <https://www.sandiegouniontribune.com/news/courts/sd-me-meza-verdict-20170502-story.html>.

31. “Crime Lab Certification and Accreditation Essentials,” Presentation by Laurel Farrell, last updated December 14, 2017, <https://www.youtube.com/watch?v=tShneqLJPKk&feature=youtu.be>.

32. “Crime Lab Certification” (see note 31).

impunity.³³ A 2016 study by the Inter American Commission on Human Rights found that 98 percent of crimes in Mexico “fail to result in convictions.”³⁴ Generally, the public turns to forensic evidence as a means to hold the judicial system accountable via objective evidence.³⁵ However, if seemingly corrupt officials hold significant influence over the forensic process, the public will distrust the credibility of forensic evidence.³⁶

Forensic accreditation counters this distrust. According to David Shirk, a Wilson Center expert in Mexican criminal justice, the adversarial system “allows the state’s evidence to be questioned and challenged.”³⁷ Judicial reforms allow the evidence to be tested, while forensic accreditation allows it to stand up to testing. Claudia Rodriquez, director of Chihuahua’s state police academy and a former prosecutor, said that “it fills me with pride now to see an officer defend himself in court, able to stand by his work and show he has nothing to hide.”³⁸

The culture change in the Mexican forensic community is evident in every aspect of the forensic process. In response to ICITAP’s email questionnaire, laboratory personnel reported that their teams have begun to work uniformly and

view their work product as a combined effort instead of a series of separate efforts. One ANAB accreditor who responded told ICITAP that laboratory personnel from a Mexican lab that previously flooded annually during the rainy season had spoken at a forensic science symposium about their pride in achieving both accreditation and a new, sterile laboratory. Within all the newly-accredited laboratories, there was a positive shift towards objectivity. Laboratory personnel became invested in separation between the laboratories and other government institutions, including prosecutors and law enforcement personnel—a shift one lab manager described as a “change in ethics.”

Legal professionals’ attitudes toward forensic evidence also experienced a cultural shift. In response to a survey question about whether their relationship with prosecutors had changed since ICITAP’s forensic accreditation program began, six laboratory personnel replied that their relationship with prosecutors is now more positive. Prosecutors also indicated they experienced positive cultural changes. One lab director said that, because laboratories committed themselves to a culture of quality, prosecutors were more confident about presenting evidence in court.

33. Monica Ortiz Uribe, “Mexico’s Justice System Battles Its Own Reputation to Build Trust,” NPR *Weekend Edition Sunday*, June 12, 2016, <https://www.npr.org/sections/parallels/2016/06/12/481576861/mexicos-justice-system-battles-its-own-reputation-to-build-trust>.

34. Inter American Commission on Human Rights, “IACHR Publishes Report on the Human Rights Situation in Mexico,” press release, March 2, 2016, https://www.oas.org/en/iachr/media_center/PReleases/2016/023.asp.

35. Marco Aurelio Guimarães, Raffaella Arrabaça Francisco, Sergio Britto Garcia, Martin Evison, Maria Eliana Castro Pinheiro, Iara Xavier Pereira, Diva Santana, and Julie Alvina Guss Patrício, “Forensic Investigation, Truth and Trust in the Context of Transitional Justice in Brazil,” *Human Remains and Violence: An Interdisciplinary Journal* 3, no. 2 (2017): 74–97.

36. Guimarães et al., “Forensic Investigation, Truth and Trust” (see note 35).

37. Uribe, “Mexico’s Justice System Battles” (see note 33).

38. Uribe, “Mexico’s Justice System Battles” (see note 33).

Laboratory personnel, who now have more opportunity to testify in court, noticed this shift among legal professionals as well. Six laboratory personnel noted on the survey that they had noticed courts valued forensic evidence more since ICITAP's program began.

This change was not confined to individual countries. For example, legal professionals from Costa Rica noted on the survey that they valued forensic evidence from Mexico and viewed this evidence as credible and reliable, marking a shift in regional culture towards forensics. Stakeholders from laboratory personnel to legal professionals noted they now view themselves as part of an international community, practicing at an international caliber. One laboratory employee responded that he was proud to be employing international best practices daily that could be used in international courts.

Public trust also shifted in favor of forensic evidence after accreditation began. The earliest and the most remarkable shift was the increase in public appreciation of forensic science. One laboratory manager noted that the public stopped viewing forensic laboratories as only a coroner's office and, instead, began to appreciate forensic laboratories as comprehensive scientific institutions. This appreciation evolved into increased public trust towards forensic evidence. An ICITAP official noticed that public trust increased because the public saw forensics as a "means of demonstrating transparency and interest in the justice to the citizens."



CSI training session with the CSI experts in service with the Baja California Attorney General Forensic Services.

Exercise in use of night photography techniques by painting the scene with light to obtain better illumination in dark, expansive sites. Before (*above*) and after (*below*).



CSI training session with the CSI experts in service with the Baja California Attorney General Forensic Services.

Practical diagnostic evaluation used at the beginning of the course to determine the working practices of the experts.



Planimetric documentation exercise.

4

The Verdict

After two weeks of trial, the jury in *U.S. v. David Enrique Meza* began deliberations. For seven days, the jury weighed the forensic evidence and expert testimony. On May 2, 2017, exactly two years to the date from his crime, a jury in the U.S. District Court for the Southern District of California convicted Meza on domestic violence resulting in murder and conspiracy to obstruct justice. Langston, Meza’s accomplice, also pled guilty to obstruction of justice, false statement to federal agents, and conspiracy to obstruct justice.³⁹ U.S. District Judge Jeffrey Miller called the homicide “heinous, inhumane, and depraved,” adding, “One can’t even imagine the torture and torment Mr. Merendino experienced.”⁴⁰

After the verdict was announced, the U.S. Attorney’s Office thanked law enforcement counterparts from Attorney General’s Office of the State of Baja California as well as the Rosarito Municipal Police for their assistance in the investigation and prosecution of the crimes.⁴¹ FBI Special Agent in Charge Eric Birnbaum also thanked “our law enforcement partners in Mexico.”⁴²

Sustainability—The next case

In order to continue to produce forensic evidence that will help lead to prosecutions of individuals like Meza and Langston, the changes made to the Latin American forensic community must be sustainable. The institutional changes brought about by accreditation, such as a formal quality management program; contribute to sustainability, as do the cultural shifts in attitudes toward forensic science, both within the forensic and legal fields and in the wider community—but they are not sufficient on their own.

The cultural and procedural changes must also be passed on to new hires in all the affected fields. The ‘train-the-trainer’ methodology ICITAP employed in Mexican laboratories helps ensure sustainability on this front because it guarantees there will be individuals present in the future to train more oncoming personnel, and that those individuals will be aligned with the professional norms. The train-the-trainer model is also less costly than other methods and allows for courses to be tailored to local issues, making it a particularly viable approach to dissemination amongst Latin American forensic scientists.

39. Ciaffa, “Imperial Beach Man Sentenced” (see note 1).

40. “San Diego Man Sentenced” (see note 29).

41. Ciaffa, “Imperial Beach Man Sentenced” (see note 1).

42. Ciaffa, “Imperial Beach Man Sentenced” (see note 1).

Another significant concern about sustainability is funding. One survey respondent noted that if accredited laboratories do not budget for further evaluation, they risk losing their accredited status. In four Mexican states, the accredited state laboratories are funded without U.S. Government assistance. By taking over payment for continued ANAB accreditation, those programs are in the final, self-sustaining phase of this program. Respondents in Mexico note that several more states are already planning for the continuity of accreditation in their budgets. One senior ICITAP employee noted that in order to contend with continued financing issues in Mexico, ICITAP raised the issue with the Mexican Federal Government. This outreach led to the Executive Secretary for the National Public Safety System of Mexico to include financing of laboratory equipment and maintenance in the federal budget for support of all federal state and forensic programs.

Another way to evaluate the sustainability of ICITAP's forensic program in Mexico is to determine whether ICITAP could expand and replicate the forensic laboratory assistance program in other countries throughout Latin America and the world. Because of the successes of ICITAP's ANAB accreditation program, countries and regions which do not yet have an accredited laboratory are looking at their accredited neigh-

bors and pursuing accreditation for their own laboratories. Fueled by the expansion of both interest and job opportunities, forensic science has become a more popular field of study—which, in turn, contributes to sustainability as new forensics graduates become qualified to carry on quality forensic work. Moreover, universities offering these specialized courses allow the existing forensic community to have access to continuing education.

In all, ICITAP's Latin American forensic program provides a strong example of how ICITAP can assist foreign countries develop good law enforcement practices—and how those practices can have impact even across national borders. The duration of this project and the number of states involved across three countries demonstrate ICITAP's commitment to creating a valued, respected, and sustainable forensic community in Latin America. When empowered with standardized training and laboratory accreditation, Latin America's forensic communities are better able to share forensic information internationally. This lays the groundwork for a safer U.S., because this evidence will now be suitable for use in U.S. courts. Successful prosecutions in Latin America will also ensure that these criminals do not threaten the international community. ICITAP's Latin American forensic assistance program is an important step forward to a safer world.

Appendix A. Foundational Interview Questions

Interview instructions

Interview questions formed as a base for interview questions and were categorized by theme. Each question was also labeled for those individuals that they may be most applicable [labels not shown here].

Questions

General forensics questions

1. Why is forensic science important to your country and/or state?
2. What types of evidence of violent or transnational crimes do you see in your laboratory?
3. Do you feel there has been a cultural change in your laboratory?
4. How has forensic science evolved over the last decade in your country?
5. Yes/no questions:
 - a. Do you think your lab is more efficient?
 - b. Do you think your lab is more standardized?

ICITAP involvement questions

1. To your understanding, what were the objectives? How clear were the objectives?
 - a. Were there discrepancies between what you and ICITAP thought the objectives were?
2. Has ICITAP's assistance facilitated accreditation? If so, how?
3. Has ICITAP assistance facilitated any other improvements in your laboratory?
 - a. Are there any interesting cases that you can relate to these improvements?
4. How has your view of your place in the regional and international forensic community changed since working with ICITAP?
 - a. How has your regional collaboration changed as a result of ICITAP assistance?
5. What are the relationships between ICITAP and lab personnel like?
 - a. Are there any issues with cooperation, either from ICITAP or lab personnel?

Leadership/peer relationship questions

1. How has your laboratory benefited from visiting other labs in the region, or hosting visitors?
2. What role does leadership have in a forensic laboratory?
 - a. How has ICITAP's training changed how you interact with your lab personnel?
3. Did you participate in the ASCLD [American Society of Crime Laboratory Directors] leadership Academy?

Accreditation questions

1. Do you believe accreditation is important? If so, why? If not, why not?
2. Has the image of your forensic laboratory improved following its accreditation?
 - a. If so, do you notice the improvements internally within the organization, externally in the public's perception, or both?
 - b. If not, to what do you attribute the lack of this improvement?
3. Has accreditation changed your ability to present evidence in court?
 - a. Is this an improvement or a hindrance? Why?

4. How does accreditation relate to the change to an adversarial trial system?
 - a. Has accreditation affected the rate of successful prosecutions?
 - b. Has accreditation affected the rate of crime?
 - c. How has accreditation changed the public's view of forensic evidence?
 - i. How has accreditation changed the public's view of the legal system?
 - d. How has accreditation changed how lawyers/prosecutors/judges use forensic evidence during the trial process?
5. What have been the challenges in achieving accreditation?
 - a. Were there unexpected challenges? If so, what were they?

Accreditation program sustainability questions

1. Do you believe the changes made to your lab are sustainable? If so, have you produced a plan to maintain accreditation?
2. Do you have enough financial resources to keep your labs sustainable?

- 3.** Do you believe that there will be enough qualified individuals to hire to staff your lab in the future?

 - a.** If not, how does your lab intend to deal with hiring forensic scientists and technicians in the future? For example, will you look to non-local qualified candidates, less qualified candidates, or leave positions unfilled?

- 4.** Does your lab offer continuing education resources to forensic department staff?

 - a.** If not, what is the reason?
 - b.** If yes, what types of resources are available? Are these made available upon request, offered to interested individuals, made mandatory, or offered in some other manner?

Appendix B.

Email Questionnaire Questions

Questionnaire instructions

Please respond to this 10-minute questionnaire about the ICITAP Program at your laboratory. This questionnaire will cover your experience with the ANAB accreditation process, ICITAP's involvement, and the impact of the Forensic Laboratory Accreditation Program in your region. This questionnaire is anonymous. Questionnaire link: https://american.co1.qualtrics.com/jfe/form/SV_6D8X4jPS3j4Wcnz. Please respond by September 25, 2018. Your feedback is appreciated.

Questions

1. To your understanding, what were ICITAP's objectives/goals at your laboratory? (Why were they assisting in your accreditation process?)
 - a. Response was open-ended
2. Have you noticed a shift in how the public and courts value forensics since working with ICITAP?
 - a. Yes, they value forensics more
 - b. Yes, they value forensics less
 - c. No, there has not been a shift in how the public and courts value forensics
 - d. I am not sure if the public and the courts value forensics
3. Is forensic science important to your country and/or state?
 - a. Response was on a Likert scale from 1 – Not important at all to 7 – Extremely important
4. Has your laboratory improved because of the assistance of ICITAP?
 - a. Response was a Yes/Maybe/No drop-down menu
5. Has your laboratory's relationship with prosecutors and/or law enforcement changed since working with ICITAP?
 - a. Yes, our relationship is now more positive
 - b. Yes, our relationship is now more negative
 - c. No, our relationship has not changed
 - d. I am not sure if our relationship has been impacted
6. What are the relationships between ICITAP and laboratory personnel like?
 - a. Response was on a Likert scale from 1 – Extremely Bad to 7 – Extremely Good
7. Has ICITAP's training changed how you interact with your laboratory personnel? If so, how?
 - a. Response was open-ended

8. Did you participate in the American Society of Crime Laboratory Directors (ASCLD) leadership Academy?

a. Response was a Yes/No drop-down menu

9. Do you believe forensic accreditation is important? Why or why not?

a. Response was open-ended

10. Have there been any challenges in achieving accreditation? If so, what were they?

a. Response was open-ended

11. Does your laboratory offer continuing education resources to forensic department staff?

If yes, are these...

a. not applicable

b. made available upon request

c. offered to interested individuals

d. made mandatory

e. offered in some other manner

12. Do you believe the changes made to your laboratory are sustainable? Why or why not?

a. Response was open-ended

13. To your knowledge, does your laboratory plan on pursuing further accreditations?

a. Response was a Yes/Maybe/No drop-down menu

Demographic questions

(Not linked to previous responses)

1. Do you represent more than one laboratory, or region?

a. Response was a Yes/No drop-down menu

2. In what region(s) is your laboratory located? (The following questions will not be attached to your previous responses)

a. Response was open-ended

3. How long has your laboratory been working with ICITAP? (In years)

a. Response was open-ended

4. Would you be willing to conduct a phone interview?

a. Response was a Yes/No drop-down menu

5. (If Yes to Q4) Please provide preferred contact information for interview below: (Name, Phone, Skype, etc.) and Preferred Language: (English, Spanish, etc.)

a. Response was open-ended

This report uses *U.S. v. David Enrique Meza* to discuss the U.S. Department of Justice International Criminal Investigative Training Assistance Program (ICITAP) forensic laboratory assistance program in Mexico and its contributions to prosecuting cross-border crimes. In the Meza case, U.S. citizens were the victim and suspects of a murder committed in Mexico and investigated by Mexican authorities.

ICITAP's program facilitates forensic laboratory accreditation and training and mentorship of Mexican forensic personnel; through these efforts, it has promoted public trust of the judicial system and acceptance of forensic evidence. This report draws heavily on interviews of forensic personnel involved with the programs and includes lessons learned on the program's replicability and sustainability.



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