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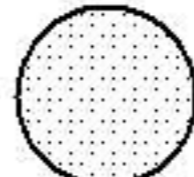
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**R-115**

**OPR: Policy Working Group**

*Status on 27 Jan 05:* 

*Issue Title (Hire Juvenile Programs Expert):  
R-116 Ryder Near-term, Item d, pg 50*

**(U) RECOMMENDATION / OBSERVATION:**

CPA should hire a Juvenile Probation/Programs consultant/expert to assist in the development of a model juvenile probation program, placement program, placement options, treatment options and other related services and training therein.

**(U) CURRENT ASSESSMENT:**

● Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

**OPR: OSD  
OCR: OSD**

**(U) FIX / ACTION / CHANGE:**

Justice is addressing in it's National Strategy for Iraq.



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*Issue Title (Establish Anti-Corrupt Dept.):  
R-120 Ryder Near-term, Item h, pg 50*

**(U) RECOMMENDATION / OBSERVATION:**

Identify and hire an individual to establish an Anti-Corruption/internal Affairs Department within the Ministry of Justice. While there will be trepidation on the part of the Minister of Justice, such action is necessary to restore and preserve the Iraqi people's confidence in the Justice system. It should be stressed to the Minister of Justice that such departments and procedures exist in all public agencies in the United States and is a critical factor in maintaining the integrity of the public offices and officers.

**(U) CURRENT ASSESSMENT:**

● Part of the anti-corruption group (Office of Public Integrity) efforts. Corruption endemic in Iraq – being addressed by MOJ, Justice, and Embassy Baghdad.

**(U) FIX / ACTION / CHANGE:**

**Justice's National Strategy attacks corrupt aspects of the Iraqi MOJ and the civil and criminal court systems.**

**OPR: OSD**

**OCR: OSD-DoJ/State**

***Issue Title (Contract of Judicial Experts) :***  
***R-121 Ryder Near-term, Item i, pg 51***

**(U) RECOMMENDATION / OBSERVATION:**

Establish a dialogue/relationship with the National Judicial College, the National Council of Juvenile and Family Court Judges, the International Association of Juvenile and Family Court Judges, and other public organizations which specialize in Judicial Education, Judicial Administration and Operations with a goal toward contracting with experts/consultants on a 60 to 90 day presence in Iraq, if this increases the number of qualified persons willing to come to Iraq, to assist in court integration and docket control management issues, on a local and Iraqi wide level. Various Public Defender Agencies and Prosecuting Attorney entities and Court Administration Resource Centers should also be tapped for assistance.

**(U) CURRENT ASSESSMENT:**

● Justice is funding and following a similar finding as part of their national strategy.

**(U) FIX / ACTION / CHANGE:**

Justice addressing in it's national strategic attack plan to improve the Iraqi Justice System, and the civil courts of Iraq.

**OPR: OSD**  
**OCR: OSD - Justice**

*Issue Title (Rebuild IZ Court Syst.):  
R-122 Ryder Near-term, Item j, pg 51*

**(U) RECOMMENDATION / OBSERVATION:**

CPA should hire a Court Administrator to serve the Ministry of Justice in four primary areas: Court Administration, Technology Implementation, Docket Management, Courts and Courthouse Security. Court Administration would focus on Judicial and Court personnel support and administration assistance. Technology Implementation would concentrate primarily on the development and use of technology and bringing same into each courtroom, courthouse and the linking of courts and courthouses with other regions. Docket Management would be responsible for insuring that the courts are moving forward as quickly as possible with effective docket management systems as well as serve as the central collection point and identifier of best docket management being contemplated and/or used in various locations for broader implementation, and ultimately computerization. Courts and Courthouse Security would be responsible for coordinating and insuring adequate security in the Courts and Courthouses. Over the course of time, this function could be absorbed by one of the existing Iraqi departments of the Ministry of Justice or recognized as an independent department.

**(U) CURRENT ASSESSMENT:**

● Justice is funding and following a similar finding as part of their national strategy.

**(U) FIX / ACTION / CHANGE:**

**Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.**

**OPR: OSD**

**OCR: OSD – DoJ/State**



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*Issue Title (Develop Court Admin Dept.):*  
*R-124 Ryder Mid-term, Item a, pg 52*

**(U) RECOMMENDATION / OBSERVATION:**

Develop a Court Administration Department within the Ministry of Justice, with sufficient assets to serve as a liaison between the courts and the Ministry of Justice with respect to all court administration.

**(U) CURRENT ASSESSMENT:**

● Justice is working with USAID, State INL to develop a solution.

**OPR: OSD**  
**OCR: OSD - Justice**

**(U) FIX / ACTION / CHANGE:**

**Justice addressing in it's national strategic plan to improve the overall functioning of the Iraqi Criminal and Civil Court systems.**



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***Issue Title (Establish a Technology TF):  
R-126 Ryder Mid-term, Item c, pg 52***

**(U) RECOMMENDATION / OBSERVATION:**

Establish a Technology Task Force composed of the Court Administrator or his representative, a representative or representatives from the Iraqi Judges, from among the Iraqi Prosecutors, from the Juvenile Division, from the Bureau of Prisons, and any other interested stakeholders to determine the short term and long term technology needs of the courts and their interface with the jails and prisons and to move the Iraqi Criminal Courts from typewriters and carbon copies to computers and docket management systems. The danger of delaying this process will result in different courts being at different stages with different resources and systems. There is no problem with development being at different stages, given a gatekeeper.

**(U) CURRENT ASSESSMENT:**

- Justice working with MOJ to address.

**(U) FIX / ACTION / CHANGE:**

**Justice working closely on a daily basis with Iraqi MOJ to improve all aspects of court, MOJ (Judges, Prosecutors, etc), and prison operational functioning.**

**OPR: OSD**

**OCR: OSD – Justice/State**



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*Issue Title (Educational Requirements):  
R-128 Ryder Mid-term, Item e, pg 52*

**(U) RECOMMENDATION / OBSERVATION:**

Establish educational requirements for all Juvenile Detention Facilities and secure appropriate educational services.

**(U) CURRENT ASSESSMENT:**

● The National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

**(U) FIX / ACTION / CHANGE:**

Justice working with MOJ to address all aspects to improve the Iraqi Juvenile Justice System.

**OPR: OSD  
OCR: OSD**

*Issue Title (Amend Iraqi Juvenile Law)*  
*R-129 Ryder Mid-term, Item f, pg 52*

**(U) RECOMMENDATION / OBSERVATION:**

Consider amending Iraqi Juvenile law to allow for the transfer or waiver of juveniles accused of serious offenses into the adult criminal court. Once established this could serve as an alternative disposition to trying Iraqi juveniles for committing serious crimes against coalition forces in a Commission forum.

**(U) CURRENT ASSESSMENT:**

● Part of the National Strategy to rebuild the Iraqi criminal justice system includes a program for dealing with juvenile offenders.

**OPR: OSD**  
**OCR: OSD - Justice**

**(U) FIX / ACTION / CHANGE:**

**Justice discussing all aspects of the Iraqi Juvenile Justice System (i.e., improvements, changes, needs, etc.) with the Iraqi MOJ. National Strategy to address all aspects of Iraqi Juvenile Justice.**

*Issue Title (Lack of Adult Probation Service):  
R-130 Ryder Mid-term, Item g, pg 52*

**(U) RECOMMENDATION / OBSERVATION:**

Establish an Adult Probation Services Division within the Prison Department with a liaison with the Courts.

**(U) CURRENT ASSESSMENT:**

● National Strategy – Justice is addressing.

**OPR: OSD**

**OCR: OSD – DoJ/State**

**(U) FIX / ACTION / CHANGE:**

**Justice national strategy.**

*Issue Title (Failure of Bond/Bail Process):  
R-131 Ryder Mid-term, Item h, pg 52*

**(U) RECOMMENDATION / OBSERVATION:**

Consider revising the current "bond"/"bail" procedures in order to facilitate the release of Criminal Detainees awaiting appearance before the Investigative Courts or awaiting trial when their risk of flight is minimal and they pose no real threat to the community. This would decrease the detainee population.

**(U) CURRENT ASSESSMENT:**

● To the extent Justice believes bail-bondsmen are appropriate, they will address in their development efforts.

**(U) FIX / ACTION / CHANGE:**

**Justice working with the Iraqi MOJ to determine necessity of having bail bondsmen. National Strategy and Plan will address this recommendation if needed.**

**OPR: OSD**

<sup>103</sup> **OCR: OSD – DoJ/State**





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*Issue Title (Review IZ Law):*  
*R-133 Ryder Long-term, Item b, pg 53*

**(U) RECOMMENDATION / OBSERVATION:**

Review Iraqi Criminal Law and Procedure with Iraqi participation and amend where needed.

**(U) CURRENT ASSESSMENT:**

● Iraq has penal/corrections legislation – to the extent changes need to be made, Justice will assist in suggesting those revisions to the Iraqi MOJ.

**OPR: OSD**

**OCR: OSD DoJ/State**

**(U) FIX / ACTION / CHANGE:**

Iraq Penal Code (IPC) of 1969 and Iraq Criminal Procedure Code (ICPC) of 1972 exists, has been appropriately modified by CPA Orders (as needed), and is referenced in Iraq's Transitional Administrative Law (TAL). The IPC and ICPC are being used in criminal Courts in Iraq.



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**OPR: Policy Working Group**

*Status on 27 Jan 05:* 