



Republic of the Philippines  
National Police Commission

**NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE**  
**DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT**  
Camp Crame, Quezon City



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**DIDM INVESTIGATIVE DIRECTIVE**  
**NUMBER 2015- 05**

**Collection of DNA Samples from**  
**Arrested Person and Persons Under Custody**  
**and Registration of their DNA Profiles into the PNP DNA Database**

**1. REFERENCES:**

- a. Memorandum from OIC, DIDM re: HWI of CPNP to prepare the required standard DNA collection procedure on suspects under custodial investigation and detention as well as the required administrative forms for incorporation in the PNP booking procedure on the DIDM Report to the CPNP with subject CIDG-DNA Database Project (DDP) dated September 02, 2015;
- b. DIDM Report to the CPNP on the CIDG-DNA Database Project (DDP) dated August 11, 2015;
- c. PNP DNA SOP Manual;
- d. Memorandum from C, PNP dated August 15, 2015 with subject "Use of the term Custodial Facility instead of Detention Facility";
- e. Rules on DNA Evidence (A.M. No. 06-11-5-SC);
- f. Revised SOCO Manual 2014 (PNPM-CLG-NSU-8-2-14).

**2. RATIONALE:**

DNA technology has proven to be an invaluable tool in the identification of a person. Law enforcement capabilities have been greatly improved with the use of DNA in tracing individuals who have committed crimes. In cases where a suspect is identified, suspect's DNA can be compared to the DNA evidence collected from the crime scene. The result of comparison will help establish whether or not the suspect is the perpetrator. In line with the recent events, it is through DNA that the identities of international terrorists Zulkifli bin Abdul Hir @ Marwan and Abdul Basit Usman were confirmed.

The collective effort of government security forces against terrorism and criminality in recent years had been significant. High profile SPSG, CNN, and CG personalities, most of whom were previously indicted for multiple non-bailable offenses, had been taken into custody. As part of the booking procedure, their biometrics – such as fingerprints and photographs – were obtained and subsequently recorded in existing database systems like the CL's Automated Fingerprint Identification System (AFIS) and the CIDG's Criminal Biometrics Identification System (CBIS). However, it is remarkable to note that minimal

attention was given in the collection and processing on the DNA specimens of these detainees. Case in point is the 61 high profile detainees arrested and currently detained at the Custodial Center of the HSS. None of them was swabbed for DNA specimen, more so, tested.

Recidivism is one of the most fundamental concepts in criminal justice. Often persons who received sanctions for previous crimes relapse into criminal behavior. Registering the DNA profiles of individuals who are implicated in the commission of a crime including but not limited to arrested persons and persons under custody, will provide expeditious and highly accurate mode of identification of wanted criminals.

The PNP, in its mandate to serve and protect, is currently populating its DNA database. With the acquisition of the Combined DNA Index System (CODIS) in 2013, Crime Laboratory was able to build a DNA profile database currently used for routine casework analysis. At present, 5,694 DNA profiles from forensic stains, victims, suspects and unidentified human remains are registered into the PNP DNA database. Increasing the database content will maximize its potential in providing accurate mode of identification of wanted criminals through the use of DNA technology thus help achieve higher crime solution efficiency.

In order to increase its database power and maximize its utilization, a policy on the collection and subsequent registration of DNA samples from arrested persons and persons under custody shall form part of the standard booking procedures.

### 3. OBJECTIVES:

The PNP, consistent with its mission and function, shall institutionalize the collection, analysis and registration of DNA profiles of arrested individuals during booking and person under custody into the PNP DNA Database.

- a. Institutionalize a DNA collection policy and procedures for arrested persons/persons under custody that is consistent with existing Philippine laws; and
- b. Maximize the capability of the CODIS by registering DNA profiles for future cross-matching and positive identification of disaster victims.

### 4. DEFINITION OF TERMS:

- a. **Arrested Person** – a person taken into custody and under investigation to answer for the commission of an offense
- b. **Buccal Samples**- inner cheek cell swabbing of an individual subject for DNA profiling
- c. **Buccal Swabbing** – taking and/or collection of DNA sample with the use of sterile cotton swabs specially designed for the purpose which is done by rubbing the inside of the cheek area of the mouth.
- d. **CODIS** (Combined DNA Index System) - DNA identification system software created by the United States Federal Bureau Investigation that allows for the storage and search of DNA records.

- e. **DNA** (Deoxyribonucleic Acid) - chain of molecules found inside the cell which encodes the genetic instructions used in the development and functioning of living organisms. The totality of an individual's DNA is unique for the individual except identical twins.
- f. **DNA Analysis** - validated scientific methods including the extraction of DNA from biological sample, generation of DNA profiles and comparison of information obtained for purpose of determining whether the DNA obtained from **two** or more distinct biological samples originates from the same person (direct identification) or if the biological samples originate from related persons (kinship analysis)
- g. **DNA Evidence** - constitute the totality of the DNA profiles, results and other genetic information directly generated from DNA analysis of biological samples
- h. **DNA Profile** – genetic information derived from analyzing the DNA extracted from a biological sample.
- i. **DNA profiling** - validated scientific technique in the conduct of examination of biological samples aimed to generate DNA profiles.
- j. **DNA Sample** - biological sample or any organic material originating from a person's body which may be subjected for DNA analysis.
- k. **Hit** - is the term used when the DNA profile is found identical/matched with the registered DNA profile.
- l. **Investigator** - A PNP personnel who is designated or assigned to conduct the inquiry of the crime by following a systematic set of procedures and methodologies for purposes of identifying witnesses, recovery of evidence and arresting and prosecuting the perpetrators.
- m. **Person Under Custody** – all persons placed inside the PNP custodial facility/center.
- n. **PNP DNA Database** - repository of DNA profiles supervised by the PNP Crime Laboratory which runs under the platform of CODIS.
- o. **Trained DNA Collectors**- Any law enforcement personnel who has completed training on proper DNA collection and storage conducted by the PNP Crime Laboratory, DNA Analysis Section

5. **GUIDELINES AND PROCEDURES:**

- a. Collection of DNA Sample from Arrested Persons
  - a.1 All arrested persons shall be subjected to DNA sample collection through buccal swabbing.

- a.2 Only trained DNA Collectors shall be authorized to collect DNA samples from arrested persons.
- a.3 It shall be the task of the collecting officer to:
  - a.3.1 Fill-out the DNA Information Data and Request Form (ANNEX "A") provided inside the collection kit.
  - a.3.2 Collect sample using the swabs provided inside the kit.
  - a.3.3 Document the taking of DNA sample/s through photograph
  - a.3.4 Place the sample in the provided paper container.
  - a.3.5 Properly seal and mark the container of the DNA sample collected.
- a.4 Proper storage of the DNA samples shall likewise be the task of the collecting officer and shall ensure that such sample will be made available to the IOC for submission to the Crime Laboratory.

**b. Collection of DNA Sample from Persons under Custody**

- b.1 The same procedures on the collection of DNA from arrested persons shall apply in the collection of DNA from persons under custody, with due consideration on Section 4 of th Rules on DNA evidence that states "This rule shall not preclude a DNA testing, without need of a prior court order, at the behest of any party, including law enforcement agencies, before a suit or proceeding is commenced."

**c. Submission of DNA Samples from Arrested Persons/Persons under Custody**

- c.1 The IOC shall coordinate with the collecting officer who is in-charge of the storage of the collected DNA sample prior to the submission of the samples to the Crime Laboratory.
- c.2 DNA samples shall be forwarded to the Crime Laboratory within 10 days upon collection, provided that the DNA samples are stored properly.
- c.3 The IOC thru the Chief of Police shall submit a report to their respective RIDMD/DIDMD.

**d. Acceptance of DNA Samples by the Field Crime Laboratory Offices**

- d.1 The receiving personnel from the Field Crime Laboratory Offices shall properly mark all documents received with a Crime Lab Control Number, time and date of receipt, name of submitting personnel and name of receiving officer. Both parties (submitting and receiving personnel) shall sign the Chain of Custody section of the DNA Information Data and Request Form.

d.2 Concerned Crime Laboratory Offices shall forward the documents together with the DNA sample to the DNA Laboratory.

**e. Acceptance of DNA Samples from Field Crime Laboratory Offices to DNA Laboratory Camp Crame**

e.1 The personnel from PNPCL Message Center shall receive the document and mark the same with the NHQ Crime Lab Control number, time and date received, name of submitting personnel and name of PNPCL Message Center personnel.

e.2 Submitting officer shall forward the documents together with the DNA sample to the DNA Laboratory.

e.4 The receiving duty officer of PNP DNA Laboratory shall receive the documents and mark with the DNA Database (DNADB) Batch Number, time and date receive, name of submitting personnel and name of receiving officer. Both parties (submitting and receiving personnel) shall sign the Chain of Custody portion of the DNA Information Data and Request Form.

e.5 The DNA receiving personnel shall then turn over the documents with the corresponding DNA sample to the Database Custodian.

**f. Examination of DNA Sample by the DNA Laboratory Acceptance**

f.1 The DNA Analyst shall analyze the DNA sample the prescribed procedures in the DNA Laboratory.

f.2 After analysis, the generated DNA profile shall be registered in the CODIS.

f.2 All remaining buccal samples and extracts shall be stored in the PNP DNA Laboratory following the PNP DNA SOP.

**g. Guidelines for DNA Database Search**

g.1 The concerned investigating units shall submit a written request to search profile against the database addressed to the D, CL.

g.2 Upon approval of the D, CL, the request for DNA Database inquiry shall be acted appropriately by DNA Laboratory.

g.3 The DNA laboratory shall issue a report on the result of Database Search.

**6. TASKS**

**a. Director, DIDM**

- 1) Acts as Directorial Staff OPR of this CMC;
- 2) Consolidates, reviews and analyzes reports submitted by RIDMD/DIDMD for the formulation of appropriate policies, guidelines and SOPs to guide PNP investigators accordingly; and

- 3) Perform other tasks as may be necessary to efficiently and effectively carry out this CMC.

**b. Regional Director, PROs 1-13, CAR, NCR, ARMM**

- 1) Supervise and ensure DNA collection of all arrested suspects within their jurisdiction;
- 2) Supervise and ensure submission of all collected DNA samples to PNPCL; and
- 3) Perform other task as directed.

**c. Chiefs RDIMD/DIDMD**

- 1) Account for the number of DNA profiles submitted to the PNP Crime Laboratory versus the number of arrested criminals on a monthly basis;
- 2) Submit a report to DIDM (Attn: CMD) every end of the month regarding the number of DNA profiles submitted to PNP Crime Laboratory;
- 3) Ensure timely submission of the collected DNA samples; and
- 4) Perform other tasks as directed.

**d. Directors, NOSUs**

- 1) Supervise and ensure DNA collection of all arrested suspects within their jurisdiction;
- 2) Submit DNA Samples to PNPCL for analysis, cross-matching and registration to the DNA Database; and
- 3) Perform other tasks as directed.

**e. Director, PNPCL**

- 1) OPR on the receiving and analysis of DNA samples and the registration of generated DNA profiles into the DNA Database;
- 2) In-charge of the storage and maintenance of DNA Database.
- 3) Submits monthly report to DIDM (Attn: CMD) regarding the number of DNA samples received and the status of DNA processing;
- 4) Submits monthly report to DIDM (Attn: CMD) regarding the number of hits obtained from the samples received; and
- 5) Allocates funds for the procurement of DNA collection kits to be distributed to different investigation and CL offices nationwide; and
- 6) Performs other tasks as directed.

**f. Director, PNPTS and Chief, SIDD, DIDM**

- 1) Coordinate with the PNP Crime Laboratory regarding the training of investigators and SOCO personnel in the proper collection of standard reference DNA samples from arrested persons, persons under custody and from crime scenes;

- 2) Incorporate in the module of Investigation Officer's Basic Course and Criminal Investigation Course the collection of DNA samples from arrested persons and persons under custody; and
- 3) Perform other tasks as directed.

**7. COORDINATING INSTRUCTIONS**


- a. Police Operational Procedures and other applicable SOPs in the conduct of booking and detention procedure must be strictly observed at all times.
- b. Lateral coordination between and among concerned units is encouraged.

**8. PENALTY CLAUSE**

Pursuant to the National Police Commission Memorandum Circular 2007-001, all personnel who either deliberately or otherwise, neglect, refuse or violate the prescribed guidelines of this Directive shall be sanctioned according to existing policies.

**9. EFFECTIVITY**

This directive shall take effect immediately.

  
**BENJAMIN B MAGALONG**  
Police Director

Distribution:

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ANNEX "A"  
DNA DATABASE REGISTRY PROCESS

