



Republic of the Philippines
 Department of the Interior and Local Government
 National Police Commission
NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE
DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT
 Camp Crame, Quezon City

RAD 09-28

MEMORANDUM

FOR : Chief, PNP

THRU : TDCA *[Signature]*

TDCO *[Signature]*

TACDS *[Signature]*

FROM : TDIDM

SUBJECT: **POLICY PRESCRIBING THE PRESENTATION
 OR NON-PRESENTATION OF SUSPECT/S TO THE MEDIA**

DATE : **SEP 29 2008**

[Handwritten signature and initials]



1. Respectfully submitted is the draft of above subject prepared by this Directorate based on the inputs submitted by the other D-staff and outputs of deliberations conducted by the *adhoc* TWG created for the purpose. (See Annex "A": Conference Notice with Listing of TWG members)

2. In gist, it reiterates the policy of the Philippine National Police to ensure the balance of polarity between the constitutionally provided right of the suspect *vis a vis* presumption of innocence on one hand; and the right of the state to public order and safety and access to information on matters of public information on the other.

Recommendation:

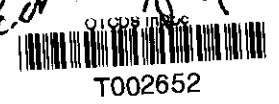
3. Approval and signature on the attached draft guidelines. (Annex "B")

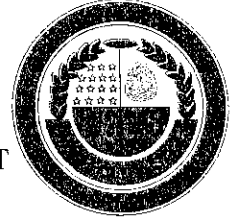
[Signature]
 ATTY RAUL M BACALZO CEO VI
 Police Chief Superintendent

[Handwritten notes:]
 TCDS, Dissem/info all
 CIPID PNP/NUP personnel
 conduct a press brief-
 ing w/
 TDIDM

Office of the Chief
 Philippine National Police
 JVA/PA/MCD/Karran, Guidelines on presentation of suspects to the media.3580
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Republic of the Philippines
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 National Police Commission
NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE
DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT
 Camp Crame, Quezon City

RAD_09-15
MEMORANDUM

FOR : See Distribution
FROM : TDIDM
SUBJECT : TWG on Formulation of POP
re: Presentation of Suspects to Media
DATE : September 10, 2008

1. References:

- a. Conference Notice from this Directorate dated September 2, 2008; and,
- b. Attendance Sheet re: Conference conducted last September 4, 2008.

2. As agreed upon during the organizational meeting of the proposed TWG, each of your representative will submit their research inputs on the subject matter. Further, DPL representative was requested to furnish copies of proposed bills in the Congress regarding the issue, both the lower and upper houses, to the ad-hoc TWG Secretariat.

3. ITCON, request compliance on the desired action mentioned in paragraph 2 and submit same to this Directorate (**Attn: RAD**) for consolidation **NLT September 15, 2008**.

ATTY JEFFERSON P SORIANO PhD/CEOVI
 Police Director (DSC)

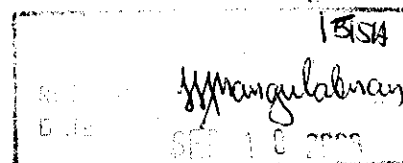
By:


BENJARDI H MANTELE MBA/PESE
 Police Senior Superintendent
 Acting Deputy Director

09/10/08

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MO9-105



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION

NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
OFFICE OF THE CHIEF, PNP
Camp Crame, Quezon City

MEMORANDUM

TO : RDs, PROs 1-13, 4A & 4B; CAR, ARMM, NCRPO
and Dirs, NSUs

FROM : C, PNP

SUBJECT: **POLICY PRESCRIBING THE PRESENTATION
OR NON-PRESENTATION OF SUSPECT/S TO THE
MEDIA**

DATE : 07 OCT 2008 *JS*

1. References:
 - a. Philippine Constitution;
 - b. Rule 113 of the Rules of Court; and
 - c. PNP POP on Arrest (Rule 11, Special Procedures)

2. This policy is formulated based on the following precepts:
 - a. It shall be the policy of the Philippine National police to ensure the balance of the polarity between the constitutionally provided public and government interests: On one hand, the right of the individual to presumption of innocence, human dignity, due process, equal protection of laws (Section 1, Art 3, of the 1987 Phil Constitution); and on the other hand, the right of the state to public order and safety and the right of access to information on matters of public information (Section 7, Art. 3 of the 1987 Phil. Constitution).

 - b. In line with the objective to inform and protect the public from suspected unscrupulous individuals, it has been the practice of the PNP to present suspects to the media in a "firing line" (arrested suspect in orange t-shirt behind police officers). However, the presentation of the suspects to the media is not only violative of their constitutional rights of presumption of innocence but also of their human rights subjecting them to unwanted publicity thereby besmirching their name and reputation including that of their family before guilt is proven.

3. Based on the foregoing, the following guidelines are hereby set :
 - a. Suspects arrested for any violation of the law shall in no case be presented in a "firing line" to the media;

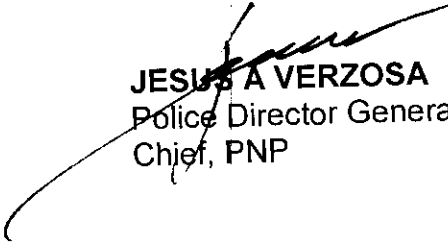
 - b. The arresting PNP office may use the media, print and broadcast alike, to inform the public about the arrest of the suspect/s, the crime

committed, its nature and circumstances, the time and place of its commission, and other person/s involved.

- c. The PNP may continue publishing the pictures of wanted person with warrant/s of arrest including their personal circumstances in any medium as their continued absconding of justice would further derail and deny the administration of justice. However, once arrested, arresting officers shall in no case present them to the media in a "firing line" manner; provided that the provisions of RA 9344 (Juvenile Justice and Welfare Act) as regards the treatment of Children in Conflict with the Law (CICL) shall be strictly adhered to.
- d. The police shall not allow any form of manhandling or infliction of bodily harm, such as slapping, boxing and the like, the person of the suspect by any person. Likewise, it is stressed that proper criminal charges must be filed against anyone who physically maltreat or harm the suspect while in police custody.
- e. The concerned PNP office shall designate an area/space (i.e. police station lobby/service desk area, press briefing room, etc.) where media can have permissive access to information relative to an incident or any police activity, in conformity with existing policies and regulations. Other areas that are not so designated shall be deemed exclusion areas where security measures are to be strictly enforced.
- f. PNP Personnel found violating this guideline shall be administratively charged for Less Grave Neglect of Duty pursuant to NAPOLCOM Memorandum Circular 2007-001, Rule 21, Section 2B, paragraph 1, subparagraph A, "failure to execute lawful orders from higher authority or tolerate any subordinate to ignore or ridicule any order, rule or regulation." And subparagraph D "failure to comply with any lawful order or instruction of a superior officer or Chief of Police." Further, repeated violation of the same will translate to incorrigibility meriting the imposition of dismissal from the service. Stated further, Chief of Offices or unit commanders are tasked to monitor all PNP personnel assigned in their respective jurisdictions to ensure that this policy is at all times being complied, and shall likewise be held accountable by virtue of command responsibility.

4. All PNP units and/or offices are hereby directed to promptly submit an after implementation report to the Chief, PNP thru the Chief, PIO.

5. Existing PNP issuances and all other memoranda of agreement with the media, not inconsistent with the provisions of this directive, are deemed incorporated herewith.


JESUS A VERZOSA
Police Director General
Chief, PNP

Cc:

D-Staff
(and others: LS, Command Group)