



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



JUL 22 2016

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INVESTIGATIVE DIRECTIVE
NUMBER 2016- 12

**Additional Policies and Guidelines in the Conduct of
PNP Anti-Illegal Drugs Campaign Plan: "Double Barrel"**

1. REFERENCE: CMC No. 16 – 2016 with subject: PNP Anti-Illegal Drugs Campaign Plan: "Double Barrel" dated July 1, 2016.

2. BACKGROUND:

With the pronouncement of His Excellency Rodrigo R Duterte, President of the Republic of the Philippines, to eradicate illegal drugs during the first six months of his Presidential term, the PNP is now concentrating its efforts in the fight against illegal drugs. The PNP's Campaign Plan: "Double Barrel" aims to address these pressing concerns through Project Tokhang (Lower Barrel Approach) and Project HVT (Upper Barrel Approach).

Despite the objectives of "Double Barrel", the PNP has once again become the subject of public scrutiny by human rights advocates, academe, Congress, as well as local and international media due to allegations of the relatives of drug personalities who claimed that those who died during armed confrontations are victims of police abuses. The simultaneous conduct of police operations nationwide were appreciated by the public in general. However, some sectors alleged that the operating units have violated the rights of the accused. When such incidents, though mere allegations, become apparent, all anti-illegal drugs efforts of the PNP and the whole Administration would be considered ineffective and will not gain the people's support because of allegations that the police have resorted to shortcuts and unlawful operations. Hence, the PNP CMC 2016-11 Campaign Plan "Double Barrel" aims to ensure that all laws, rules, regulations, guidelines and policies are in place and followed during its implementation.

3. PURPOSE:

This Investigative Directive reiterates the protocols of investigation and sets guidelines on how the investigative units can perform their responsibilities in case of armed confrontation during the implementation of PNP Campaign Plan: "Double Barrel".

4. GUIDELINES:

- a. RIDMD/PIDMB/CIDG shall adhere to the existing PNP rules in the conduct of investigation shall be the lead investigative units in all cases of armed confrontation with suspects. They should observe proper coordination with the commanders on the ground.
- b. RIDMD/PIDMB /Crime Laboratory/IAS in coordination with C, RPHRDD shall conduct investigation against PNP personnel involved in using and pushing illegal drugs. In conducting investigation or administrative proceedings, due process shall be observed.
- c. Section 1 (Neglect of Duty) and Section 2 (Presumption of Knowledge) of Executive Order 226 entitled "Institutionalization of the Doctrine of Command Responsibility shall be applied to police commanders who failed to report in 1 hour and exercise supervision and control over operating units conducting operations specially those cases of armed confrontation.

5. PROCEDURES IN THE INVESTIGATION OF INCIDENTS INVOLVING ARMED CONFRONTATION

- a. All incidents of armed confrontations should be recorded, reported and investigated to ensure that all operations are documented.
- b. The most senior officer or PNCO must secure site of confrontation.
- c. Report to his immediate supervisor and request for SOCO.
- d. PD/CD to send IDMB personnel to conduct investigation.
- e. Take photographs.
- f. Check situation if suspects still poses imminent danger.
- g. Evacuate wounded to the nearest hospital.
- h. Ensure that all persons died on the spot are not moved from the original position.
- i. Arrested suspect should be left isolated and secured.
- j. Conduct debriefing in all personnel involved.
- k. Submit the investigation report to CMD, DIDM.

6. RESPONSIBILITIES:

a. DD, DIDM

- 1) Supervise and monitor the implementation of legal offensive and partnership strategy;
- 2) Supervise and monitor cases involving armed confrontation and internal cleansing of the PNP in support to Campaign Double Barrel; and
- 3) Perform other tasks as directed.

b. Ex-O, DIDM

- 1) Assist DDIDM in monitoring the progress of internal cleansing process of the PNP and case monitoring involving armed confrontation in support to the CPNP campaign Double Barrel and ensure the implementation of this Investigative Directive; and
- 2) Perform other tasks as directed.

c. C, CMD

- 1) Monitor the implementation of this Investigative Directive pertaining to resolution of cases involving armed confrontation between police and suspects;
- 2) Maintain statistics of all drug cases filed by the PNP;
- 3) Monitor prosecutions, courts and reasons/cause for dismissal of cases;
- 4) Monitor the updating and timely reporting of incidents, accounting of cases, and the evidences involving anti illegal drugs operations;
- 5) Monitor the investigation and filing of all illegal drugs until final disposition in courts;
- 6) Monitor cases of alleged human rights violations perpetrated by PNP operating units;
- 7) Provide regular updates and reports to TDIDM and Higher Offices; and
- 8) Perform other tasks as directed.

d. C, PCEID

- 1) Monitor and ensure the filing of administrative cases to policemen found using illegal drugs specially those found positive during drug tests;
- 2) File cases and provide regular updates to DIDM Command Group on administrative cases of personnel involving irregularities in the conduct of operations, bungling of cases, illegal drug activities including those cases involving huldap, case fixing, planting of evidence, protecting drug pushers and drug pushing; and
- 3) Perform other tasks as directed.

e. C, SIDD

- 1) Design course and develop Standard Training Package for operatives coming from PNP/AFP/other LEAs who will join the Inter-Agency Task Force on Anti-Illegal Drugs;

- 2) Perform other tasks as directed.

f. C, ITD

- 1) Develop a computer-based case tracking scheme which shall connect with the National Drug Information System of PDEA that monitors all drug cases filed in court;
- 2) Customize reports needed to capture drug-related incidents and cases in the CIRAS (e-Blotter), e-Warrant, e-Subpoena and e-Rogues Systems;
- 3) Perform other tasks as directed.

g. RDs, PROs

- 1) Supervise, control and direct the conduct of internal cleansing of PNP units under his jurisdiction;
- 2) Supervise the conduct of investigation of armed confrontation in AOR and strict implementation of this Investigative Directive;
- 3) Ensure the timely submission, accurate reports and compliances of offices/units under its jurisdiction relative to the incidents of drug use and other illegal activity of the personnel; and
- 4) Perform other tasks as directed.


h. Chiefs, RIDMDs

- 1) Ensure case build-up against and PNP personnel involved in illegal drugs;
- 2) Supervise and monitor the conduct of investigation of cases pertaining to armed confrontation between the police and suspects;
- 3) File admin cases against personnel who committed lapses during police operations; and
- 4) Submit weekly reports/updates regarding the personnel involved in illegal drugs to DIDM, or as necessary; and
- 5) Perform other tasks as directed.

7. ADMINISTRATIVE SANCTIONS:

- a. Immediate supervisors who failed to exercise command and control during operations may be held accountable for the lapses committed by his subordinates based on the Principle of Command Responsibility under Executive Order No. 226.
- b. RDs/PDs/CDs/COP found to be tolerating subordinates involved in coverup/white wash of cases, illegal arrest, hulidap, bangketa/areglo or case fixing, recycling of confiscated drugs, planting of evidence, bungling of drug cases or acting as protectors, coddlers, shall be relieved and face administrative cases pursuant to NAPOLCOM MC 2016-002.

8. For your guidance and widest dissemination.


AUGUSTO M MARQUEZ JR
Police Chief Superintendent

Distribution:

RDs, PROs
Dirs, NOSUs

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Attachments:

PNP CMC 16-2016
EO 226

MALACAÑANG

Manila

MFN 596

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 226

**INSTITUTIONALIZATION OF THE DOCTRINE OF
"COMMAND RESPONSIBILITY" IN ALL GOVERNMENT OFFICES,
PARTICULARLY AT ALL LEVELS OF COMMAND IN THE PHILIPPINE
NATIONAL POLICE AND OTHER LAW ENFORCEMENT AGENCIES**

WHEREAS, strict and effective management and control of an organization by the supervisor is critical in ensuring responsive delivery of services by the government, especially in police matters;

WHEREAS, a supervisor/commander is duty-bound and, as such, is expected to closely monitor, supervise, direct, coordinate, and control the overall activities of his subordinates within his area of jurisdiction, and can be held administratively accountable for neglect of duty in taking appropriate action to discipline his men;

WHEREAS, in order to ensure a more effective, sustained, and successful campaign against erring government personnel, it is imperative that the doctrine of "command responsibility" be institutionalized and strictly applied in all government offices and at all levels of command in the PNP and other law enforcement agencies.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Neglect of Duty Under the Doctrine of "Command Responsibility". Any government official or supervisor, or officer of the Philippine National Police or that of any other law enforcement agency shall be held accountable for "Neglect of Duty" under the doctrine of "command responsibility" if he has knowledge that a crime or offense shall be committed, is being committed, or has been committed by his subordinates, or by others within his area of responsibility and, despite such knowledge, he did not take preventive or corrective action either before, during, or immediately after its commission.

SEC. 2. Presumption of Knowledge. A government official or supervisor, or PNP commander, is presumed to have knowledge of the commission of irregularities or criminal offenses in any of the following circumstances:

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- a. When the irregularities or illegal acts are widespread within his area of jurisdiction;
- b. When the irregularities or illegal acts have been repeatedly or regularly committed within his area of responsibility; or
- c. When members of his immediate staff or office personnel are involved.

SEC. 3. Implementing Rules and Regulations. The National Police Commission (NAPOLCOM) in coordination with the Department of Interior and Local Government (DILG) and the Civil Service Commission (CSC) shall promulgate the necessary rules and regulations of this Executive Order within thirty (30) days after the issuance thereof.


SEC. 4. Administrative Liability. Any violation of this Executive Order by any government official, supervisor, officer of the PNP and that of any law enforcement agency shall be held administratively accountable for violation of existing laws, rules and regulations.

SEC. 5. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila this 17th day of February, in the year of our Lord, nineteen hundred and ninety-five.



By the President:


TEOFISTO T. GUINGONA JR.
Executive Secretary

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