



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

DEC 06 2012

Standard Operating Procedure
Number 2012- 004

SOP ON RECOVERED PERSONAL EFFECTS OF VICTIMS

1. REFERENCES:

- a. Revised PNP Criminal Investigation Manual; and
- b. Revised Rules of Criminal Procedure.

2. PURPOSE:

This SOP sets forth the guidelines in the chain of custody of seized/recovered evidence and the presentation of the same to the prosecutor's office or court when so required.

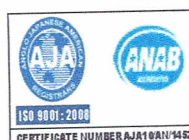
3. SCOPE OF APPLICATION:

This SOP applies to all properties seized/recovered during police operations or surrendered in relation to a crime/complaint and provides the procedures to be observed by all PNP units as well as the reports/documents to be prepared in relation thereto.

4. DEFINITION OF TERMS:

The following terms are defined for a better understanding of this SOP:

- a. **Complaint** – an accusation in writing, charging a person for the commission of an offense.
- b. **Crime Scene** – a venue or place where the alleged crime has been committed.
- c. **Chain of Custody** – refers to the chronological documentation or paper trail, showing the seizures, custody, control, transfer, analysis and disposition of evidence, physical or electronic.
- d. **Crime Scene Investigation (CSI)** – is a comprehensive inquiry of a crime by conducting systematic procedure of various investigative methodologies which involves recovery of physical and testimonial evidence for the purpose of identifying the witnesses, and arresting of perpetrator(s) for prosecution.
- e. **Documentation** – for purposes of this SOP shall mean to include the conditions under which the evidence is gathered, the identity of all the evidence handlers, duration of evidence custody, security conditions while handling or storing the evidence and the manner in which evidence is transferred to subsequent custodians each time such a transfer occurs.



- f. **Evidence** – is the means sanctioned by the Rules of Court, of ascertaining in a judicial proceeding the truth respecting a matter of fact. These include but are not limited to documentary, testimonial, electronic and object evidence, gathered in the course of the investigation.
- g. **Evidence Custodian** – refers to a police personnel who is charged with the duty of receiving, recording and safekeeping of all seized/recovered evidence pending its proper disposition.
- i. **Forensic Evidence** – refers to the physical evidence that is taken from the scene of the crime and analyzed using scientific methods to aid the investigators in solving a case. It also refers to evidence which may be addressed to the senses of the court with the use of forensic sciences to elucidate a case.
- j. **Investigator- On-Case (IOC)/Duty Investigator** – shall refer to any PNP personnel who is duly designated or assigned to conduct the inquiry of the crime by following a systematic set of procedures and methodologies for the purpose of identifying witnesses, recovering evidence and arresting and prosecuting the perpetrators. The IOC shall assume full responsibility over the crime scene during the conduct of CSI.

5. PROCEDURE ON DOCUMENTATION:

The following procedures and guidelines shall be strictly observed:

- a. All evidence recovered in the crime scene must be properly documented, photographed and properly turned over to the evidence custodian (Annex "A"). The detailed receipt showing the inventory of the evidence must be properly acknowledged and signed by the evidence custodian (Annex "D"). In case of motor vehicles, there must be Technical Inspection and Inventory Report to be incorporated in the records (Annex "C");
- b. The investigator-on-case/duty investigator must exhaust all efforts to determine the relevance and materiality of the evidence recovered. During the preparation of the case, the picture/pictures of the evidence must be incorporated in the case folder. All angles/sides of the seized/recovered evidence must be photographed;
- c. Personal properties seized/recovered which were not used as evidence must be returned to the person from whom the property/properties was/were taken with proper documentation. If the property is to be used as evidence, the possessor must be properly apprised on the disposition of the property;
- d. The investigator-on-case/duty investigator must prepare a letter request in standard form (Annex "E") for the release of the personal property seized/recovered as evidence addressed to the prosecutor to be signed by the owner. The investigator must also move and manifest his acquiesce for the release of the seized evidence in favor of the owner from whom the property was taken. He must state among others, that the photographs of the property will be presented as evidence when same is directed to be presented in court;
- e. Upon approval of the prosecutor/judge of the motion for the release of property, the evidence custodian must without delay, release the

property/evidence ordered to be released. The owner must acknowledge in writing the receipt of the property/evidence as ordered by the prosecutor/judge under the condition that when the court, in the future shall demand its production, he/she shall comply without delay. Further, he/she must state that he/she does not have any complaint on the status of the property being returned. If there be any, said complaint must be placed in writing on the space provided for in the acknowledgment receipt prepared (Annex "F");

- f. If the evidence sought to be released contain vital information such as computer records, call logs, messages and other electronic records wherein the preservation of the original records are needed during the prosecution of the case, the owner should be properly apprised on the necessity of the subject evidence to remain under the control and custody of the evidence custodian or the prosecutor/court; and
- g. The turnover of the evidence must be witnessed by any party accompanying the owner. Photograph the turnover of the property. Incorporate the photo and the receipt in the records of the case.

6. FLOW CHART

See Annex "H" on the Chain of Custody of Seized/Recovered Property/Evidence.

7. PENAL CLAUSE

Any violation of this SOP shall be dealt with administratively. All Unit Commanders shall be investigated under the principle of Command Responsibility. If evidence warrants, criminal complaints shall also be filed against those who may have committed acts or omissions in violation of the Revised Penal Code or any special law.

8. REPEALING CLAUSE

Any issuance, memoranda, rules and regulations issued by the PNP inconsistent herewith are deemed repealed or amended accordingly.

9. EFFECTIVITY

This SOP shall take effect fifteen (15) days from filing a copy thereof at the University of the Philippines Law Center in consonance with Sections 3 and 4, Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revised Administrative Code of 1987".




NICANOR A. BARTOLOME, CSEE
Police Director General
Chief, PNP

CPNP Ltr '12 S051391



S051391

Annexes:

- "A" – Sample Format Inventory Sheet/Receipt for Property/Goods Recovered
- "B" – Sample Format Impounding Receipt
- "C" – Sample Format Technical Inspection and Inventory Report
- "D" – Sample Format Turn-over Receipt (to the Evidence Custodian)
- "E" – Sample Format Turn-over Receipt from Investigator to SOCO Team Leader
- "F" – Sample Format Letter Request for Property Release by Victim/Complainant
- "G" – Sample Format Letter Request for Property Release (by Office Head/ Investigator)
- "H" – Sample Format Acknowledgment Receipt (by Victim/Complainant)
- "I" – Sample Format Order of Release (Release from the Prosecutor/Court)
- "J" – Sample Format Chain of Custody of Recovered Property/Evidence

Distribution:

D-Staff
All RDs, PROs
All Directors, NSUs

Cc: Command Group

Annex "A"- **Sample Format Inventory Sheet/Receipt for Property/Goods
Seized/Recovered**

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

Date: _____

INVENTORY SHEET/RECEIPT FOR PROPERTY / GOODS
SEIZED/ RECOVERED

Inventory Sheet of article/items seized/recovered from the
premise/establishment of _____ located at
_____ by _____ virtue of

ITEMS/ARTICLES	QUANTITY/UNITS
(Description of the Property/Properties)	

(Seizing Officer)

Witnessed by:

Signature Over Printed Name

Annex "B"- Sample Format Impounding Receipt of Motor Vehicle

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

Date: _____

IMPOUNDING RECEIPT OF MOTOR VEHICLE

Description of Motor Vehicle

Make/Type : _____

Chassis No. : _____

Motor No. : _____

Plate No. : _____

Color : _____

CR/OR NO. : _____

LTO File No. : _____

Registered
Owner : _____

Address : _____

VIOLATIONS:

1. _____

2. _____

3. _____

Subject MV was apprehended by Anti-Carnapping operatives of this office for violation/s as stated above on _____ at about _____ along the vicinity of _____ and same was brought to _____ for safekeeping subject for the investigation/verification and proper disposition.

Note: Subject MV shall only be released upon presentation of its pertinent original documents and upon notation/approval of the Head of Office.

Conformed:

Apprehending Officers:

Owner/Driver/Possessor

Team Leader

Annex “D”- Sample Format of Turn-Over Receipt

HEADING
(UNIT)

(Date)

TURN-OVER RECEIPT

Case: _____

ITEMS/ARTICLES	QUANTITY/UNIT
(Description of the Properties)	

Name and Signature of Seizing Officer)

I hereby certify that the above described properties were received in good condition appearing on the pictures as presented on this ____ day of _____.

Received by:

Name and Signature of Evidence Custodian

**Annex “F” – Sample Format of Letter Request for Property Release
By Victim/Complainant**

Date

(Inside addressee)

Dear Sir,

May I respectfully request your good office for the intercession to cause the release of the property/properties described below. This/These is/are the subject of (case like robbery or theft) which transpired on _____ at _____.

ITEMS/ARTICLES	QUANTITY/UNITS
(Description of the Property/Properties)	

I am the owner of the above described property/properties which was/were unlawfully taken from me by the suspects on the said date at place of occurrence of the offense. As a proof of ownership on the above described property/properties, I am presenting the (receipts or any proof.)

Respectfully yours,

(Owner)

**Annex “G” – Sample Format of Letter Request for Property Release
By Office Head/Investigator**

HEADING

The Honorable (State/City Prosecutor)

Respectfully forwarded to the Office of the City/State Prosecutor the herein request of the private complainant for the release of the property/properties described below being the owner thereof.

ITEMS/ARTICLES	QUANTITY/UNITS
(Description of Property/Properties)	

The (Office of the Recovering Unit/Office) interposes no objection for the release of the above described property/properties provided when the need arises that this/these will be ordered to be physically presented, the owner undertakes the full responsibility in presenting the same.

It is further recommended that the pictures of the property attached herein be considered as the substitute evidence in lieu of the actual property/properties.

For your consideration.

(Name and Signature of the
Head of Office/ Chief Investigation)

Annex “H” – Sample Format Acknowledgment Receipt
By Victim/Complainant

Heading

(Date)

ACKNOWLEDGMENT RECEIPT

The undersigned acknowledge to have received the above property/ properties in good condition and have no complaint whatsoever in nature.

ITEMS/ARTICLES	QUANTITY/UNITS
(Description of the Property/Properties)	

(Name and signature of the owner)

(If there is complaint)

Example:

- 1. The battery/tire of the car was damaged.
- 2. Cellphone memory card missing.
- 3. Others.

Owner

Noted by:

Releasing Officer/Evidence Custodian

Annex "I" – Order of Release (Release from the Prosecutor/Court)

Heading

ORDER OF RELEASE
(Release from the Prosecutor/Court)

The undersigned hereby Order the Release from this Office and upon the request of the victim/complainant, the herein property/evidence described as follows:

ITEMS/ARTICLES	QUANTITY
1. _____	
2. _____	
3. _____	

Signature

(If there is complaint)

Example:

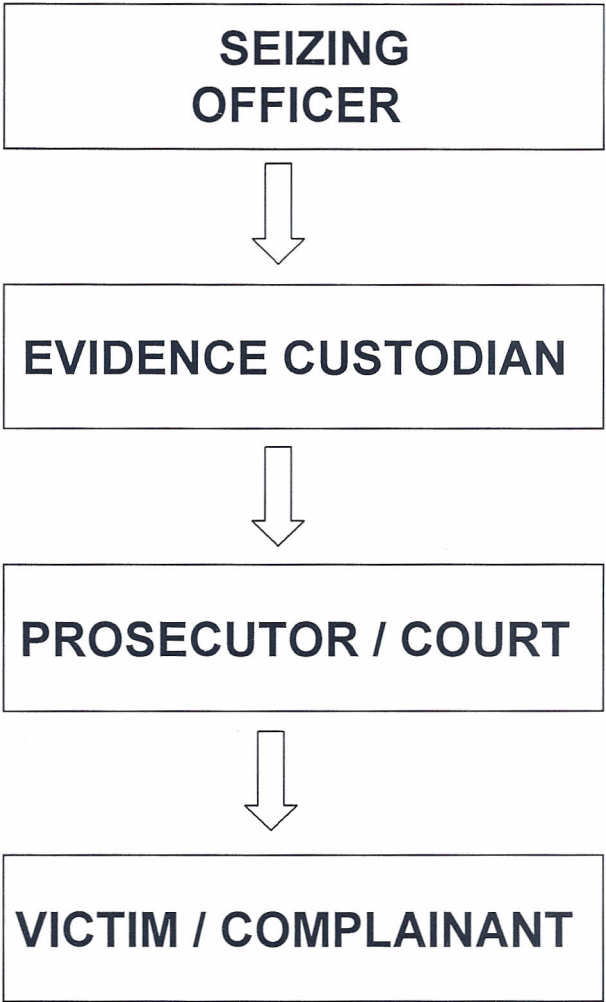
- 1. The battery, tires was damaged.
- 2. Cellphones, memory card missing.
- 3. Others.

(Owner)

Noted:

Releasing Officer/Evidence Custodian

CHAIN OF CUSTODY OF EVIDENCE
(For Seized/Recovered Evidence)



**Annex “C”-Sample Format of Technical Inspection and Inventory Report
For Recovered Motor Vehicle**

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

TECHNICAL INSPECTION AND INVENTORY REPORT OF RECOVERED MOTOR VEHICLE

Accomplished:_____

MOTOR VEHICLE DESCRIPTION			Inside Features	Engine Compartment
Make/Type	Plate No.		Steering Wheel	Air-con Compressor
Engine No.	Fuel		Shifting Rod with Knob	Radiator
Chassis No.	Color		Hand Brake	Radiator Cover
Registered Owner:			Ammeter	Radiator Inlet Hose
Owner's Address			Oil Pressure Gauge	Radiator Outlet Hose
OUTSIDE FEATURES FRONT			Temperature Gauge	Water Bypass Hose
Bumper Front	Fog Lights		RPM Gauge	Ignition Coil
Brand Emblem Marking	Headlights LR		Headlight Knob	High Tension Wire
Radiator Grill	Windshield wiper		Parking/Hazard Knob	Distributor Cap
Signal Lights L/R	Windshield Glass		Wiper Knob	Distributor Assembly
Hazard Lights L/R	Windshield Wiper Blade		Dimmer Switch	Contact Point
Headlights Guard	Windshield Wiper Motor		Directorial Level	Condenser
Left Side Portion: Right side Portion:			Speedometer	Air-con Condenser
Side Mirror	Side Mirror		Fuel Gauge	Rotor
Wind Tunnel Glass	Wind Tunnel Glass		Cars Seats Front	Advancer
Window Glass F13ront Seat	Window Glass Front Seat		Car Seat Back	Oil Dipstick
	Weather/Wi ndow Strip		Car Seat Cover	Air-con Driver Belt
Rear Back Portion: Luggage Compartment:			Floor Carpet	Carburettor Assembly
Rear Bumper	Spare Tire		Floor Matting	Alternator
Brand Emblem Marking	Spare Tire Mounting- Note: no spare tire cover.		Steering Wheel Computer Box	Alternator Voltage Regulator
Plate Light	Floor Luggage Mat		Seat Adjustment Knob	Air Cleaner
Tail Light Assembly	Mechanical		ACCESSORIES:	Fuel Pump

		Tools				
TIRES:			Air-condition Unit	Oil Filter		
Brand/Make:			Car Stereo	Steering Gear Box		
Size: 235/75 R15			Interceptor Cable	Water Pump Assembly		
Condition: Used			Stereo Speakers	Engine Fan		
Type			Twitters	Auxiliary Fan		
No. of Studs:			Car Radio	Fan Belt		
General Condition of the MV:			Equalizer	Spark Plugs		
Running			CD Changer	Battery		
Deadline			Lighter	Battery Cable		
REMARKS			Barometer	Battery Terminal		
			Fire Extinguisher	Horn Assembly		
			Antennae	Horn Relay		
			GENERAL APPEARANCE:	Accelerator Cable		
			Newly painted	Intake Manifold		
			Paint Discoloration	Exhaust Manifold		
			Good body shape	Engine Mounting		
			Body in Bad Shape	Ignition wiring		
			Body ongoing repair	Transmission		
			For Repainting	Suspension Assembly		
			Beyond Economical Repair and corrosion have set in which requires a major body repair.	Tie Rod End		
				Idler Arm		
				Front Coil Spring		
				Pitman Arm		
		Recovering Personnel:		WITNESS/OWNER/Barangay Official:		NOTED BY (HEAD OF OFFICE):

				Rank/Name		
Date:		Date:		Date:		

**Annex "E" – Sample Format of Turn-Over Receipt of Collected
Evidence at the Crime Scene from Investigator
to SOCO Team**

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

**TURN-OVER OF COLLECTED EVIDENCE AT THE CRIME SCENE
FROM INVESTIGATOR TO SOCO TEAM
(If Applicable)**

Date _____

This is to certify that the following items/physical evidence found, collected and initially marked and inventoried by the investigator at the crime scene were properly turned over to SOCO Team Evidence Custodian:

ITEMS/ARTICLES
(Technical Description)

QUANTITY/UNITS

(SOCO Team Evidence Custodian)

Turned Over By:

Duty Investigator/OIC

Witnessed by:

Signature Over Printed Name