

# 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

TF USIG\_02
MEMORANDUM

TO

.: RDs, PROs and D, NOSUs

FROM

: TDIDM / TF USIG Commander

SUBJECT

Reassignment of AO35 and TF USIG Case Investigators

DATE

MAR 0 5 2015

1. References:

a. Memo from C, PNP HRAO;

b. Administrative Order No. 35 (AO35); and

c. LOI Task Force USIG.

- 2. This is in relation to the relief, transfer, and reassignment of Investigators-On-Case (IOC) to other units particularly those handling AO35 and Task Force USIG (TF USIG) cases that greatly affect the investigation, arrest and conviction of the suspects.
- 3. Effective investigation is gauged not merely on the arrest of the suspect but on his conviction based on the strength of the prosecution evidence and not on the weakness of the defense. The case must be built upon strong and concrete evidence which can stand court scrutiny and cannot be overturned by mere presumption.
- 4. However, it was observed that many cases filed by IOC were dismissed either by the prosecution or the court due to weak investigation or unfounded testimonies of police witnesses. One of the noted causes is the unnecessary transfer of assignment of the IOC who loses track of the case as witness. Such transfer adversely affects the prosecution of the case leading to its dismissal which is detrimental to the crime solution campaign of the PNP.
- 5. In view hereof, you are hereby reminded that as per existing policy, the relief or transfer of assignment of investigators particularly those handling AO35 and TF USIG cases shall only be done under exigent/or justifiable reason. This is to ensure that the investigator will be an effective investigator-on-case equipped with all needed information and knowledge to be a credible witness who can stand and effectively deliver in court and can convict the suspect through evidence and the strength of his testimony.
- 6. In addition, please direct all Chief of Investigation Offices under your AOR to ensure that the relief, transfer and reassignment of IOC to other units shall not adversely affect the investigation, arrest and conviction of suspects in these cases.
  - 7. For strict compliance and widest dissemination.

FRANCISCO DON CASANOVA MONTENEGRO

Police Director

Cc:

Command Group

D-Staff





#### Republic of the Philippines National Police Commission

## NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE OFFICE OF THE CHIEF, PNP

PNP HUMAN RIGHTS AFFAIRS OFFICE
Camp Crame, Quezon City
Telefax Nr 7230401 local 3668



#### MEMORANDUM

FOR

**TDPRM** 

**TDIDM** 

FROM

C. PNP HRAO

SUBJECT

Concern of the PNP during the 8th AO 35 Inter-Agency

Committee (IAC) Meeting

DATE

February 23, 2015

1. References:

a) Memo from TDIDM dated Feb 5, 2015 with the same subject as above; and

b) Memo from this Office dated January 26, 2015 with the same subject as above.

- 2. This pertains to the 8<sup>th</sup> meeting of the AO 35 Inter-Agency Committee Meeting held last November 24, Malacañang, Manila wherein one of the issues discussed was the frequent reassignment of the PNP Special Investigations Team members to other units that greatly affects the arrest and conviction of suspects of AO 35 cases.
- 3. In this regard, respectfully forwarded for further dissemination are references addressing the matter as follows:

LOI TF USIG (No. 12, Part VI)

"As much as possible, no investigator-on-case shall be relieved, transferred or re-assigned without a valid cause or justifiable reason"

PNP MC No. 2013-014 (para 9.h.l)

"Investigation officers shall process and sign the application if the applicant requesting transfer has no pending administrative and criminal case and not a witness to drug related case with the unit"

- 4. May we request that the task of administrative and investigating officers shall include that of ensuring the transfer of personnel shall not adversely affect the investigation, arrest and conviction of cases the personnel was tasked with.
  - 5. Further request priority action.

Police Chief Superintendent

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