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Introduced by Senator Maria Lourdes Nancy S. Binay

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEES TO INVESTIGATE, IN AID
OF LEGISLATION, THE ALLEGED DELISTING OF DELFIN LEE FROM THE
PHILIPPINE NATIONAL POLICE MOST WANTED PERSONS LIST AND
WARRANT OF ARREST DATABASE

WHEREAS, in 2012, Delfin Lee was among the country's top 5 fugitives in the Philippine National Police (PNP) most wanted persons list with a P2-million reward for his capture;

WHEREAS, Delfin Lee eluded arrest after Judge Maria Amifait S. Fider-Reyes of Pampanga RTC-Branch 42 issued a warrant of arrest against him in connection with a criminal case for syndicated estafa;

WHEREAS, Delfin Lee, President of Globe Asiatique Realty Holdings Corp., is accused of using fake documents and ghost borrowers in order to obtain a P6.6-billion loan from the Home Development Mutual Fund or Pag-IBIG Fund;

WHEREAS, after 2 years in hiding, Delfin Lee was arrested by the PNP Task Force Tugis operatives last March 6, 2014 at the Hyatt Hotel in Malate, Manila;

WHEREAS, Delfin Lee has questioned the validity of his arrest on the ground that the PNP has delisted him from the most wanted persons list pursuant to a Court of Appeals decision stating that the warrant of arrest issued by Judge Maria Amifait S. Fider-Reyes of Pampanga RTC-Branch 42 against Delfin Lee is quashed, recalled and lifted;

WHEREAS, in a letter dated January 8, 2014 addressed to Delfin Lee's lawyer, Atty. Emmanuel R. Pichay, PNP Chief Alan Purisima stated that the PNP is now in the process of delisting Mr. Delfin Lee from the list of wanted persons following procedures as set forth in the PNPI-3 Circular Number 98-01 dated July 23, 1998 and that the Secretary of the Interior and Local Government is the final authority in the approval of the said delisting;

WHEREAS, upon request of Delfin Lee's lawyer, Atty. Willie Rivera, the Criminal Investigation and Detection Group (CIDG) issued a certification dated January 15, 2014 stating that the warrant of arrest issued by Judge Maria Amifait S. Fider-Reyes of RTC-Branch 42, Pampanga was removed from the list of Warrant of Arrest database effective November 20, 2013;

WHEREAS, according to the Department of the Interior and Local Government (DILG) Secretary, Mar Roxas, the DILG MC 20120-182 which is the basis for the inclusion of

Delfin Lee in the list of five individuals wanted by law and the monetary award of P2 million has not been revoked to date and that the arresting officers who apprehended Delfin Lee acted consistently with said Memorandum Circular.¹

WHEREAS, according to DILG Secretary Mar Roxas, PNPI-3 Circular No. 98-01, as well as the executive practice of the PNP, places the authority to delist or remove a person from the most wanted list principally on the PNP Reward Valuation Committee and that the role of the DILG Secretary is limited to approving the names to be placed on the list, and its corresponding reward, as previously recommended by the Reward Valuation Committee;

WHEREAS, DILG Secretary Mar Roxas stated that he has not approved any request for the removal of Delfin Lee from the list of persons with arrest warrant or from the most wanted persons list;

WHEREAS, DILG Secretary Mar Roxas stated that whoever ordered the removal of Delfin Lee's name in the list of persons with arrest warrant should be investigated;

WHEREAS, there is a need to review existing policies and laws as well as evaluate the necessity of adopting legislation on the inclusion and removal of a person's name from the warrant of arrest database and the most wanted persons list in order to obviate lapses in procedure that can be used to circumvent the law and legal processes;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, as it is hereby resolved to direct the proper Senate Committees to investigate, in aid of legislation, the alleged delisting of Delfin Lee from the Philippine National Police most wanted persons list and warrant of arrest database.

Adopted,



MARIA LOURDES NANCY S. BINAY
Senator

¹ Official Gazette, Statement of Secretary of the Interior and Local Government Mar Roxas: On Delfin Lee, March 11, 2014, <http://www.gov.ph/2014/03/11/statement-of-secretary-roxas-on-delfin-lee/>.