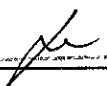


SENATE

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COMMITTEE REPORT NO. 2

Submitted jointly by the Committees on Justice and Human Rights and Public Order and
Illegal Drugs on SEP 25 2007.

Re: Joint Resolution No. 4 prepared by the Committees

Recommending its approval in substitution of Senate Bill Nos. 336, 607, 738 and 1589.

Sponsors: Senators Escudero, Ejercito-Estrada, Revilla Jr., Villar and Honasan II

MR. PRESIDENT:

The Committees on Justice and Human Rights and Public Order and Illegal Drugs to
which were referred Senate Bill No. 336, introduced by Senator Ejercito-Estrada, entitled:

**"AN ACT
PROHIBITING THE PRESENTATION TO THE MEDIA OR PUBLIC OF MERE SUSPECTS
IN CRIMINAL INVESTIGATIONS PRIOR TO THE FILING OF THE FORMAL CHARGES
AGAINST THEM"**

Senate Bill No. 607, introduced by Senator Ejercito-Estrada, entitled:

**"AN ACT
PROHIBITING THE PRESENTATION TO THE PRESS OR PUBLIC OF SUSPECTS IN
CRIMINAL INVESTIGATIONS BEFORE CASES ARE FORMALLY FILED AGAINST THE
SUSPECTS"**

Senate Bill No. 738, introduced by Senator Revilla Jr., entitled:

**"AN ACT
PROHIBITING THE PUBLIC DISPLAY OF PERSONS ARRESTED, ACCUSED OR UNDER
CUSTODIAL INVESTIGATION IN A DEGRADING MANNER, AMENDING FOR THE
PURPOSE SECTIONS 2 AND 4 OF REPUBLIC ACT NO. 7438, ENTITLED "AN ACT
DEFINING CERTAIN RIGHTS OF PERSONS ARRESTED, DETAINED OR UNDER
CUSTODIAL INVESTIGATION AS WELL AS THE DUTIES OF THE ARRESTING,
DETAINING AND INVESTIGATING OFFICERS, AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF"**

and Senate Bill No. 1589, introduced by Senator Villar, entitled:

**"AN ACT
PROHIBITING THE PRESENTATION TO THE PUBLIC OR MEDIA OF SUSPECTS PRIOR
TO THE FILING OF FORMAL CHARGES AGAINST THEM"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached joint resolution, Joint Resolution No. _____, prepared by the Committees, entitled:

"JOINT RESOLUTION DIRECTING THE DEPARTMENT OF JUSTICE (DOJ), THE PHILIPPINE NATIONAL POLICE (PNP), THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG), ALL LAW ENFORCEMENT AGENCIES AND OTHER GOVERNMENT AGENCIES TASKED TO ENFORCE PEACE AND ORDER TO ISSUE RULES AND REGULATIONS ON PRESENTATION OF SUSPECTS UNDER THEIR CUSTODY TO THE MEDIA"

be approved in substitution of Senate Bill Nos. 336, 607, 738 and 1589 with Senators Ejercito-Estrada, Revilla, Jr., Villar, Escudero and Honasan II, as authors.

Respectfully submitted:

FRANCIS "CHIZ" G. ESCUDERO
Chairman, Committee on Justice and Human Rights

GREGORIO "GRINGO" B. HONASAN
Chairman, Committee on Public Order and Illegal Drugs; Member, Committee on Justice and Human Rights

BENIGNO SIMEON "NOYNOY" AQUINO III
Vice-Chairman
Committee on Justice and Human Rights

MEMBERS:

RODOLFO G. BIAZON
Member, Committees on Justice and Human Rights; Public Order and Illegal Drugs

ALAN PETER "COMPAÑERO" S. CAYETANO
Member, Committee on Justice and Human Rights

PIA "COMPAÑERA" S. CAYETANO
Member, Committee on Justice and Human Rights

JUAN PONCE ENRILE
Member, Committees on Justice and Human Rights; Public Order and Illegal Drugs

may amend
Madrugal

M. A. MADRIGAL
Member, Committees on Justice and Human
Human Rights; Public Order and Illegal Drugs

RAMON BONG REVILLA, JR.
Member, Committees on Justice and
Rights; Public Order and Illegal Drugs

R. J. Gordon

RICHARD J. GORDON
Member, Committee on Public Order and
Illegal Drugs

Panfilo M. Lacson
PANFILO "PING" M. LACSON
Member, Committee on Public Order and
Illegal Drugs

Manuel M. Lapid
MANUEL "LITO" M. LAPID
Member, Committee on Public Order and
Illegal Drugs

Juan Miguel F. Zubiri
JUAN MIGUEL F. ZUBIRI
Member, Committee on Public Order and
Illegal Drugs

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JINGGOY EJERCITO-ESTRADA
President Pro-Tempore

Francis N. Pangilinan
FRANCIS N. PANGILINAN
Majority Leader

May amend
Aquilino Q. Pimentel, Jr.
AQUILINO Q. PIMENTEL, JR.
Minority Leader

Hon. MANNY VILLAR
Senate President
Senate of the Philippines
Pasay City

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 SEP 25 2011

SENATE

RECEIVED 

JT. RES. NO. 4

Prepared jointly by the Committees on Justice and Human Rights and Public Order and
Illegal Drugs with Senators Ejercito-Estrada, Revilla Jr., Villar, Escudero and Honasan II
as authors

JOINT RESOLUTION

DIRECTING THE DEPARTMENT OF JUSTICE (DOJ), THE PHILIPPINE NATIONAL POLICE (PNP), THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), ALL LAW ENFORCEMENT AGENCIES AND OTHER GOVERNMENT AGENCIES TASKED TO ENFORCE PEACE AND ORDER TO ISSUE RULES AND REGULATIONS ON PRESENTATION OF SUSPECTS UNDER THEIR CUSTODY TO THE MEDIA

WHEREAS, the practice of law enforcement officers and other personnel such as members of the PNP in presenting to the public, through print and broadcast media, suspects of criminal acts, which are still being investigated should be regulated as such acts subject them to unwanted publicity thereby besmirching their name and reputation and that of their family;

WHEREAS, the right of the public to be informed with respect to issues and incidents of public interest, especially those affecting security of their persons and property and the exercise of press freedom, shall be guaranteed at all times;

WHEREAS, Section 12 (1), Article III of the Constitution provides that "Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferably of his own choice. If the person cannot afford the services of counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel";

WHEREAS, so as not to infringe these fundamental rights of both the suspects vis a vis the right of the people to information and to press freedom. Now, therefore, be it

RESOLVED by the Senate and House of Representatives of the

Philippines in Congress assembled: To direct the Department of Justice (DOJ), the Philippine National Police (PNP), the Department of the Interior and Local Government (DILG), and other engaged in law

enforcement to issue the necessary rules and regulations on presentation of suspects under their custody to the media including, but not limited to imposable administrative sanctions in cases of violations that may arise there from. The necessary rules and regulations must be issued to regulate the presentation of suspects to the media in order to reunite and/or harmonize these aforementioned rights.

Adopted,