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

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides that:

> SEC. 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Our children are the future of our country. As a nation, we need to establish the safety of our children not only that they may be safe from harm but that they may grow with security that they may focus their development in more productive endeavors instead of worrying about criminals. Many miscreants take advantage of our children's vulnerability and direct violent crimes towards them.

In order to discourage, if not eliminate, the crimes committed against our children, we need to employ the latest technology to aid in the identification and prosecution of the offenders. DNA profiling has become the primary instrument around the world in bringing the criminals to justice. By establishing a specialized DNA database for crimes against children offenders, we will be able to create a database with which we can immediately identify past offenders.

We should also further discourage crimes against children by increasing the penalties for the offenders.

This bill seeks to establish a specialized DNA database for violent predators against children and mandates the maximum penalties for crimes against children.[1]

-MIRIAM DEFENSOR SANTIAGO

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[1] This bill was originally filed in the Fourteenth Congress, Second Regular Session

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1   AN ACT
2 INCREASING THE PENALTY ON CRIMES AGAINST CHILDREN AND ESTABLISHING
3 A SEPARATE DNA DATABASE FOR VIOLENT PREDATORS AGAINST CHILDREN
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5   *Be it enacted by the Senate and the House of Representatives of the Philippines in*
6 *Congress assembled:*

7   SECTION 1. *Short Title.* – This Act shall be known as the "Save Our Children Act."

8   SECTION 2. *Definition.* – As used in this Act, the term "violent predator against

9 children" means a person who commits any of the crimes listed under the chapter on Crimes

10 Against Persons under the Revised Penal Code, against persons below 18 years of age.

11   SECTION 3. *DNA Database for Violent Predators against Children.* – The Secretary of

12 Justice (Secretary) shall establish and maintain, separate from any other *deoxyribonucleic acid*

13 database (DNA database), a database solely for the purpose of collecting the DNA information

14 with respect to violent predators against children. Under regulations issued by the Secretary,

15 national, and local agencies and other entities may submit DNA information to the Secretary for

16 inclusion in the database and may compare DNA information against other DNA information in

17 the database.

18   SECTION 4. *Consequences for Violent Predators against Children.* – Notwithstanding

19 any other provision of law, if a person who is a violent predator against children commits a crime

20 that would, in and of itself, establish that person as a violent predator against children, the

21 sentence imposed on that person for that crime shall, without regard to any mitigating

22 circumstance that would otherwise apply at sentencing, be the maximum authorized by law.

1   SECTION 5. *Appropriations.* –The amount necessary for the initial implementation of

2   this Act shall be charged against the appropriations of the Department of Education under the

3   current General Appropriations Act. Thereafter, such sum as may be necessary for its full

4   implementation shall be included in the annual General Appropriations Act as a distinct and

5   separate item.

6   SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or

7   unconstitutional, the remainder of the law or the provision not otherwise affected shall remain

8   valid and subsisting.

9   SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive

10   order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent

11   with the provision of this Act is hereby repealed, modified, or amended accordingly.

12   SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its

13   publication in at least two (2) newspapers of general circulation.

14   Approved,