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SENATE
S. No. 1245

RECEIVED BY: *Ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides:

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.

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.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* 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

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

4 SECTION 1. *Short Title.* – This Act shall be known as the “Save Our Children Act.”

5 SECTION 2. *Definition.* – As used in this Act, the term “violent predator against
6 children” means a person who commits any of the crimes listed under the chapter on Crimes
7 Against Persons under the Revised Penal Code, against persons below eighteen (18) years of age.

8 SECTION 3. *DNA Database for Violent Predators against Children.* – The Secretary of
9 Justice (Secretary) shall establish and maintain, separate from any other *deoxyribonucleic acid*
10 database (DNA database), a database solely for the purpose of collecting the DNA information
11 with respect to violent predators against children. Under regulations issued by the Secretary,
12 national and local agencies and other entities may submit DNA information to the Secretary for
13 inclusion in the database and may compare DNA information against other DNA information in
14 the database.

15 SECTION 4. *Consequences for Violent Predators against Children.* – Notwithstanding
16 any other provision of law, if a person commits a crime that would, in and of itself, establish that
17 person as a violent predator against children, the sentence imposed on that person for that crime

1 shall, without regard to any mitigating circumstance that would otherwise apply at sentencing, be
2 the maximum authorized by law.

3 SECTION 5. *Appropriations.* –The amount necessary for the initial implementation of
4 this Act shall be charged against the appropriations of the Department of Justice under the
5 current General Appropriations Act. Thereafter, such sum as may be necessary for its full
6 implementation shall be included in the annual General Appropriations Act as a distinct and
7 separate item.

8 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or
9 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
10 valid and subsisting.

11 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
12 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
13 with the provision of this Act is hereby repealed, modified, or amended accordingly.

14 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
15 publication in at least two (2) newspapers of general circulation.

Approved,