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SENATE

Committee Report No. 89

RECEIVED BY: 

Submitted by the Committee on Public Order and Dangerous Drugs on
OCT 30 2014.

Re: Proposed Senate Resolution Nos. 647, 883, 887, 889, 908 and 913

Recommending the adoption of the recommendations as contained in this Report and for its full and immediate implementation.

Sponsors: Senators Grace Poe, Joseph Victor G. Ejercito, Miriam Defensor-Santiago, Vicente Sotto III and Gregorio Honasan II

Mr. President:

The Committee on Public Order and Dangerous Drugs to which were referred **Proposed Senate Resolution No. 647**, introduced by **Sen. Poe** entitled:

“RESOLUTION

URGING THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CONTINUOUSLY INCREASING CRIMINALITY AND THE BRAZENNESS OF CRIMINAL/ILLEGAL ACTIVITIES, WITH THE OBJECTIVES OF CRAFTING SHORT- AND LONG-TERM PLANS AND POLICIES REGARDING CRIME PREVENTION AND ERADICATION”

Proposed Senate Resolution No. 883, introduced by **Sen. Ejercito** entitled:

“RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO INVESTIGATE THE PEACE AND ORDER SITUATION OF THE COUNTRY IN VIEW OF THE INCREASING CRIME RATE INCIDENTS”

Proposed Senate Resolution No. 887, introduced by **Sen. Defensor-Santiago** entitled:

“RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED INCREASE OF KIDNAPPING INCIDENTS IN THE COUNTRY, PARTICULARLY IN METRO MANILA AND THE PROVINCES OF LAGUNA AND CAVITE”

Proposed Senate Resolution No. 889, introduced by Sen. Defensor-Santiago entitled:

**“RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE, TO
CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE
REPORTED NEED TO CURTAIL THE RISE OF DEATHS
CAUSED BY UNLICENSED FIREARMS”**

Proposed Senate Resolution No. 908, introduced by Sen. Poe entitled:

**“RESOLUTION
URGING THE PHILIPPINE NATIONAL POLICE TO MAINTAIN
AND OPERATE AN IMPROVED 24/7 DEDICATED DIRECT
NATIONAL EMERGENCY HOTLINE TO ADDRESS CRIME
SITUATIONS AND ASSISTANCE, AN AVENUE FOR CITIZENS'
PREDICAMENTS AND SIMILAR OTHER PEACE AND ORDER
ISSUES ON A REAL TIME, PRO-ACTIVE ENGAGEMENT”**

Proposed Senate Resolution No. 913, introduced by Sens. Sotto III and Honasan
entitled:

**“RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO
CONDUCT AN INQUIRY IN AID OF LEGISLATION FOR THE
INTEGRATION AND COORDINATION OF COMMUNICATION
AND INFORMATION SYSTEM NATIONWIDE IN CRIME
PREVENTION AND TRAFFIC MANAGEMENT SPECIFICALLY
IN NATIONAL CAPITAL REGION AND METRO MANILA
AREA”**

has considered the same and has the honor to submit its report on its inquiry back to the
Senate, recommending adoption of the recommendations as contained in this Report and
for its full and immediate implementation.

RESPECTFULLY SUBMITTED:


GRACE POE
Chairperson

GREGORIO B. HONASAN II
Vice-Chairperson

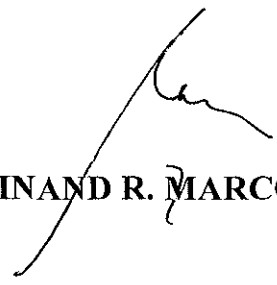
Members



FRANCIS G. ESCUDERO


AQUILINO "KOKO" PIMENTEL III

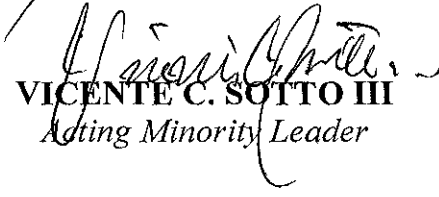
RAMON "BONG" REVILLA, JR.


FERDINAND R. MARCOS

CYNTHIA A. VILLAR


LOREN B. LEGARDA

*w/ pinkla
amendments*

- w/ amendments!

VICENTE C. SOTTO III
Acting Minority Leader

Ex-officio Members

JUAN PONCE ENRILE
Minority Leader

ALAN PETER "COMPAÑERO" S. CAYETANO
Majority Leader

RALPH G. RECTO
Senate President Pro-Tempore

FRANKLIN M. DRILON
Senate President

THE REPORT

Preliminaries

“I, for one, am a victim and was kidnapped. But in spite of that, I can still regard myself as being lucky as I did not end up like other members whose family has since mourned their death,” admitted Architect Ka Kuen Chua, the present Chairman of the Movement for Restoration of Peace and Order.¹

Architect Chua was twice kidnapped. In September 2008, he was abducted for seventeen (17) days and was rescued by the then anti-kidnapping group Police Anti-Crime Emergency Response (PACER). In May 2012, he was kidnapped-for-ransom again, by a different criminal group.

The kidnapping of Architect Chua represents the grim reality of the country’s peace and order situation. *With the recent surveys and the continuous spike in crime incidence, our people continue to live in fear haunted by the shadow of unchecked criminality in the streets and in public areas.*

There have been unabated incidents of holdups, robberies and *hulidap* plaguing neighborhoods. Kidnapping syndicates threaten the peace of individuals and businessmen and is a hurdle of disincentive to foreign investors. And it is not a myth to think that kidnapping does not just happen to Filipino-Chinese or wealthy victims, but also to ordinary people, similar to what occurred in Virac, Catanduanes very recently.²

Criminality has not only involved petty thievery, rape and murder; the impunity of its occurrence, the gruesomeness, the complexity accompanying its commissions and in recent cases, its advancement in sophistication with the use of social media and the Internet, are indicia that peace and order has been breached and disrupted on an alarming level.

One of the problems confronting law enforcement is that its officers and men are themselves perceived to be violators of serious crimes. The most recent controversies

¹ Transcript of Stenographic Notes (TSN), of the Public Hearing of the Senate Committee on Public Order joint with the Committees on Local Government and Finance, September 30, 2014, 11:00 a.m., p 26

² TSN, Dante Jimenez’s statement, 11:50 a.m., p 59

involved police officers who are themselves engaged in criminal activities resulting in a dwindling sense of security.³ This was the case of the Atimonan incident, the alleged *hulidap* on EDSA, those involved in the drug buy-bust operation in Region III, and PNP personnel involved in the Bulacan criminal incident, among others.⁴ While this criminal element in the PNP is a minute segment to conclude that the national police organization is reeking of scalawags, it is sufficient to state that the few rotten eggs in the organization have worked to diminish the people's trust to our then regarded neighborhood police. And this begs the question: "Where do we go to where the persons who are supposed to protect us are the same individuals who undermine the social order?"⁵

Issues.

Against this backdrop, at least six (6) resolutions were submitted in the Senate and referred to the Committee on Public Order and Dangerous Drugs. In response, two public hearings were conducted by the Committee.⁶ Canalizing the issues, the public hearings of the Committee centered on three:

³ TSN, September 30, 2014, 11:00 a.m., p 27

⁴ From the Opening Statement of Director General Alan La Madrid Purisima, TSN, September 30, 2014, 10:40 a.m., p 14

⁵ TSN, September 30, 2014, 11:00 a.m., p 27

⁶ The First Public Hearing was on September 16, 2014 and had the following as Resource Persons: Atty. Adonis Sulit, State Counsel, Department of Justice (DOJ); P/Supt. Manuel Guerlan, Directorate for Personnel and Records Management, PNP; P/Supt. Pedro Gabayan, Directorate for Intelligence, PNP; P/Supt. Renato Gumban., Director, Anti-Kidnapping Group, PNP; P/Supt. Miguel Antonio, Jr., Directorate for Operations, PNP; P/Dir. Juanito Vano, Directorate for Logistics, PNP; P/Dir. Alexander Roldan, Intelligence Affairs Service, PNP; P/CSupt. Rene Ong, Deputy Director, Directorate for Police Community Relations, PNP; P/Supt. Alexander Ignacio, Directorate for Plans, PNP; P/CSupt. Armando Ramolete, President, Philippine National Police Academy; Atty. Eduardo U. Escueta, Vice Chairman and Executive Officer, National Police Commission (Napolcom); Atty. Alma Flores-Foronda, Director III, Legal Affairs, Civil Service Commission (CSC); P/DDGen. Ricardo De Leon, President, Philippine Public Safety College; P/SSupt. Romeo S. Magsalos, Director, National Police College; P/SSupt. Ernesto F. Agas, Director, National Forensic Science Training Institute; P/CSupt. Abner O. Dimabuyu, Director, National Police Training Institute; Mr. Dante LA. Jimenez, President, Volunteers Against Crime and Corruption (VACC); Mr. Martin Diño, Chairman, VACC; Mr. Tom N. Orola, Director, VACC; Mr. Arsenio "Boy" Evangelista, Board of Trustees, VACC; Ms. Marissa Del Mar, Board of Directors, VACC; Atty. Dianne Dizon, Attorney V, Metro Manila Development Authority (MMDA); Mr. Richard S. Domingo, Data Statistician on Road Accidents Road Safety Unit, MMDA

The Second Public hearing was conducted on September 30, 2014 with the following: P/Dir. Gen. Alan LM. Purisima, Chief, Philippine National Police (PNP); P/Dir. Charles T. Calma, Jr., Director for Intelligence, PNP; P/Dir. Ricardo C. Marquez, Director for Operations, PNP; P/Dir. Rodrigo P. De Gracia, Director for Information and Communication Management, PNP; P/Dir. Francisco Don Montenegro, Director for Investigation and Detective Management, PNP; P/Dir. Juanito B. Vaño Jr., Directorate for Logistics, PNP; P/CSupt. Ferdinand P. Yuson, Deputy Director for Plans, PNP; P/Dir. Francisco A. Uyami Jr., Director for Research and Development, PNP; P/Dir. Alexander L. Roldan, Intelligence Affairs Service, PNP; P/Dir. Jaime H. Morente, Director for Personnel and Records Management, PNP; P/CSupt. Fernando G. Sevilla, Director, Center for Police Strategy Management, P/Sr. Supt. Roberto B. Fajardo, Acting Director, Anti-Kidnapping Group, PNP; P/Dir. Alex Paul I. Monteagudo, Director for Human Resource Doctrine and Development, PNP; P/Dir. Danilo S. Constantino, Director for Police Community Relations, PNP; P/CSupt. Reuben Theodore Sindac, Director, Logistics Support Service, PNP; Atty. Eduardo U. Escueta, Vice Chairman and Executive Officer, National Police Commission (NAPOLCOM), Atty. Alma Flores-Foronda, Director III, Legal Affairs, Civil Service Commission (CSC); P/DDGen. Ricardo De Leon, President, Philippine Public Safety College; Mr. Dante LA. Jimenez, President, Volunteers Against Crime and Corruption (VACC); Mr. Martin "Bubot" B. Diño, Chairman, VACC; Ms. Teresita Ang-See, Founding Chairperson, Movement for Restoration of Peace and Order (MRPO); Architect Ka Kuen Chua, Chairman, MRPO; Mr. Perfecto Jaime L. Tagalog, Secretary General, Coalition of Filipino Consumers

1. The increase in criminality, kidnapping in particular and the brazenness of illegal activities;
2. The absence of working communication or police hotline; and
3. The participation of some policemen in the perpetration of crimes and the lack of police visibility. The third issue also covers the matter of police leadership.

Discussions.

Issue One. High Incidence of Criminality in the Philippines

A recent survey shows that peace and order remains the biggest problem of the country. The realities on high incidence of crimes are discussed in full in four (4) resolutions considered in the Report:

In Senate Resolution 647, authored by Senator Poe:

- Crimes are being perpetrated and reported on a daily basis on the radio, print media and television. It is not unknown to the entire country that most of these crimes remain unresolved and most of the culprits remain unknown or at large;
- The entire country has been a playground and prey for the wicked wrong-doers. Furthermore, not only are crimes being perpetrated, said crimes have become more daring, and are being executed not in the dark and unpopulated areas but out in the open—inside malls, in urban settings and on major public thoroughfares;
- Criminals did not even respect the holiday season last December 2013 when members of the notorious "Martilyo Gang" unleashed their evil deeds at SM North EDSA when they robbed a jewelry store and later on escaped using the mammoth crowd of shoppers. Members of said gang, as if mocking the authorities, again struck at SM Mall of Asia last March of this year;
- Just recently, Fairview, Quezon City became the firing range of riding-in-tandem shooters on a motorcycle who reportedly targeted random people and left five (5)

lifeless bodies. The victims included a businesswoman waiting for a bus ride, a couple on their way to a drugstore, a bystander on his way to ride his motorcycle, and a man scavenging through a pile of garbage;

In Senate Resolution No. 883, authored by Sen. JV Ejercito:

- According to the latest data from the Public Information Office of the Philippine National Police, the number of crime incidents in the country in the year 2013 increased tremendously to 1,238,817 from 217,812 in 2012. In the first quarter (January-June) of 2014, the crime volume was pegged at 603,086. Likewise, the crime solution efficiency dropped from 36.7% in 2012 to 28.6% in 2013;
- In 2014, according to the Global Peace Index (GPI), the world's leading measure of peacefulness, the Philippines ranked 134th out of 162 countries, five notches lower in 2013, second lowest in South East Asia, and third to the lowest in Asia-Pacific Region.

In Senate Resolution No. 887, authored by Sen. Defensor Santiago:

- Accordingly, non-government organization Movement for Restoration of Peace and Order (MRPO) expressed concern about the increasing incidents of kidnapping in Metro Manila and the provinces of Laguna and Cavite;

In Senate Resolution No. 889, authored by Sen. Defensor Santiago:

- The Philippine Star reported on 22 August 2014 that two persons were killed and four others were wounded in separate shooting incidents in the southern part of the metropolis on 21 August 2014;
- It was reported that in the first incident, two robbery suspects were shot dead by a police officer, while the second incident involved two motorcycle-riding men who shot and wounded a jeepney barker, a bus dispatcher, a tricycle driver, and a bystander;

On the increasing crime statistics, PNP Director General Alan La Madrid Purisima explained that when he assumed office in 2012, a survey was made to know how many incidents are actually reported to the authorities, and the result revealed that only 15% were reported. He also explained that there were times that some police stations do not report the right statistics to their headquarters because of some policy then that if the crime volume of the police station is high, the head will be relieved. To address this situation, one of the reforms being implemented is the creation of the audit teams from the Directorate for Investigation and Detective Management which check the data, information and reports in police stations. Likewise, complainants are now given a copy of the complaint, similar to an official receipt, to comply with the constitutional precept on due process.⁷

As a historical record, the crime volume of the Philippines from 2004-2014 (ten-year average)⁸ was presented:

2004	77,000
2005	76,000
2006	71,000
2007	65,000
2008	66,000
2009	498,000
2010	319,000
2011	241,000
2012	217,000
2013	846,000, and around 1.2 million++ (including situations/cases reported in barangays)
2014	(first half of the year) – 603,000

The surge in numbers is attributed to accurate reporting system now being implemented by the police force. Accordingly, the PNP, too, is gearing towards the implementation of the program called Patrol Plan 2030—a mechanism to professionalize the PNP and to

⁷ TSN, Spot Report

⁸ Data from PNP DG Purisima, TSN, September 30, 2014, 11:30 a.m., page 50; 11:40 a.m., page 51

address effectively the various concerns of the police force. DG Purisima also mentioned that they are starting the budget proposal based on the needs of those in the police stations. He mentioned that the *PNP Patrol Plan 2030* aims to have a highly capable, effective and credible police force, working in partnership with the responsive community. He further stated that the national police force is a work in progress.⁹

The crime rate is on an all-time high. The best gauge is that citizens feel that they are not safe even in their own homes, much less on the streets. Deteriorating peace and order has adversely affected the business climate and discouraged both domestic and foreign business activities.¹⁰

On the issue of uniformed personnel's participation in some crimes, the data of the Internal Affairs Services (IAS) indicated that the PNP has a personnel complement of 146,535 based on the DBM Staffing Summary of 2014. Out of the total actual strength of the PNP, some 25,713 or 18% are undergoing or have undergone Summary Proceedings before the IAS.¹¹

Of the total number of personnel undergoing administrative justice process, a total of 20,283 cases have been filed against personnel since the calendar year 1999 to September 2014.¹² Note that the number of cases mentioned is accumulated over a period of 15 years.

Similar to the trend in the past, uniformed officers and personnel are implicated as participants in the commission of the crime. Kidnappings continue to menace the citizenry because the criminals and their masterminds can easily get away with their crimes. Moreover, kidnap-for-ransom syndicates are difficult to neutralize because they are often protected by authorities, if not made up of retired, AWOL or even active law enforcers and military officials.¹³

⁹ TSN,

¹⁰ From the paper of Ms. Teresita Ang-See, *People of the Philippines v. Crimes CAAC-MRPO, The Criminal Justice System and the Fight Against Crime*

¹¹ Data submitted in response to a request during the hearing, from the Internal Affairs Service (IAS), October 27, 2014

¹² IAS Record, October 2014

¹³ *Ibid*, Ang See.

Issue Two. Call to have a Dedicated National Hotline for Crime Prevention

Two (2) of the six (6) resolutions considered in this Committee Report, Senate Resolutions 908 and 913, seek the creation of a dedicated national emergency hotline to help the citizens in dire need of police assistance. Likewise, it will integrate and coordinate communication and information system nationwide in crime prevention and traffic management.

As cited in both resolutions, the rising criminality in the country is a clear evidence that the government has a weak and ineffective system in solving and preventing crimes and that different enforcement agencies of the government must work hand in hand in order to fight criminality.

This is similar to the emergency hotline 911 in the United States. In the Philippines, the present hotline number is being maintained by a private foundation. Sen. Sotto raised his concern on the importance of a communication system, or how to get in touch with the PNP. He stated that no matter how modernized PNP will be, it will be futile if people could not get in touch with PNP. He proposed that the emergency hotline should not be left with a foundation or the Department of the Interior and Local Government (DILG).

In the public hearing, the PNP said that the National Telecommunications Commission (NTC) has allocated and approved the utilization of number 118 as the single PNP Hotline and the SMS number 2181. As stated by the PNP, the project is in the final stage of consultation.¹⁴

Issue Three. Leadership in the PNP

A. Personnel, In General

The PNP is a unique agency as it is organized, trained and equipped primarily for the performance of police functions. It is national in scope and civilian character is paramount. They are tasked to promote peace and order and ensure public safety.¹⁵

¹⁴ TSN, Statement of Supt Rene Ong, September 16, 2014, p 22

¹⁵ RA 6975, as amended, Section 2 (Declaration of Policy)

It should be stated that the country has dedicated patriotic police force who work hand in hand with the civilians in preventing and solving crimes and maintaining public order in communities. Year in, year out, and while only ten (10) are chosen every year, the COPS or the Country's Outstanding Policemen in Service is a testament to a gallant crop of women and men in the police force who are able to work with the community to prevent and solve crimes. And just very recently, SPO1 Ariel Camiling of Station 8, Project 4 in Quezon City was hailed by citizens for assisting a couple whose vehicle got stalled along EDSA, lending a helping hand without reservation—an exemplar of a breed of non-abusive, helpful and true police officers.

It should be emphasized that the PNP is an institution of honor with uniformed personnel known for their great sense of service and dedication.

But more than any institution, the PNP operates on a mandate of trust. It is relevant only for as long as the people have confidence that it can preserve law and order. Of recent, scandal after scandal with some police officers in participation, albeit a small percentage it may be in relation to the entire PNP, it casts doubt on the integrity of our uniformed personnel that policy dictates swift action must be taken to make rogue officers accountable for their crimes. Nobody is above the law, more so the officers tasked with law enforcement.

It bears worthy mention that there is only a small segment of the police force engaged in illicit, irregular and unprofessional activities. In the records of the IAS, there were 1,785 cases/complaints involving uniformed personnel from period 2012-2014.¹⁶ Whether this number is a substantial improvement or not, the IAS has not completed its assessment yet.

In the past, it was established that to commit crimes, police officers and men must want to commit a crime largely due to the belief that apprehension and prosecution are not likely and they have the opportunity to abscond from penalty. The gravest perception is that they have a system in which they can get away with what they do and cannot be held liable.

¹⁶ IAS Cases, 2012-2014 (present)

On assurance, the PNP, Napolcom and IAS manifested that justice is being served for the complainants and police personnel involved in cases. In fact, the IAS, in its report, stated that from the accumulated cases they gathered from 1999 to September 2014, only 814 or 4% of the total caseload are pending disposition.¹⁷

B. The SALN, the “White House”: The DG Purisima Situation, In Particular

One of the interesting issues that cropped up in relation to police leadership was the alleged ill-gotten wealth of DG Purisima. As a narrative summary, the Spot Report of the Senate Committee on Public Order and Dangerous Drugs on the issue of entries in the Statement of Assets, Liabilities and Net Worth of DG Purisima and the donation of the so-called White House for the PNP Chief is instructive:

- Mr. Perfecto Jaime Tagalog, representing the Coalition of Filipino Consumers, filed a complaint against General Purisima mentioning that he believes that the police force still gives security to the citizens, and that General Purisima must address the issues and accusations raised against him so that the entire department would not be affected.

- DG Purisima stated the following:
 - that the San Leonardo, Nueva Ecija property is 4.7 ha., acquired sometime in 1998, more or less.
 - that he earns P107, 000.00 a month.
 - that he has a *Toyota Alphard* acquired in 2013 and a *Toyota Land Cruiser* bought for Php1.5 Million.
 - that he will submit financial statements of his trucking business.
 - that the so-called “White House” is a building donated to the PNP, and there are 3 donors indicated in the Deed of Donation.
 - that no cash was held by PNP since it is a build and design concept.

¹⁷ IAS Report, October 2014

- that the belated date of the deed of donation was due to the lack of interest to have an official document, and that the donors were somehow only “forced” because of the need to legalize and that investigations are on-going.

It can be observed that some of the real and non-real properties (motor vehicles) as declared in the SALN are undervalued. The market price of a Toyota Land Cruiser based on the website of Toyota Motor Philippines is pegged at around Php 4.3 million as against its alleged acquisition at huge discount of Php 1.5 million.¹⁸ DG Purisima has not explained and while he promised to submit the necessary dossier on time, the details on amortization of the motor vehicles have remained to be unexplained and sketchy. The Police Chief failed to explain and to rationalize the true worth and assessment of his various real properties.

On inquiry why there was no design showed and no possible cost was given, or some sort of architectural rendering, and that the PNP Chief did not bother to ask, DG Purisima said that he only saw a rough sketch.

In inquiring why the Mason organization was mentioned as the donor, P/CSupt. Ruben Theodore Sindac admitted that the mention of “Masons” was his mere impression, and that there was no attempt to correct the misinformation.

Conclusions and Recommendations:

1. ***Amendment of the Internal Affairs Service Law.*** The Internal Affairs Service (IAS) of the PNP was created by virtue of “The PNP Reform and Reorganization Act of 1998” (Republic Act No. 8551). Although conceived to be part of the PNP, the IAS was envisioned to be an independent unit with the mandate of exercising disciplinary authority over members of the PNP. However, as presently constituted, the IAS has no authority to impose disciplinary sanctions against erring PNP personnel. During the Senate hearing, the IAS admitted that no investigation has been initiated involving the PNP Chief and failed to answer queries on how to deal with issues and cases involving the PNP Chief himself. The authority of the IAS is merely limited to making recommendations which are

¹⁸ www.toyota.com.ph

subject to the review and approval of the PNP Chief or the PNP Regional Directors.

With this apparent soft mandate of the IAS, it turns into a mere “paper tiger” that it cannot initiate proceedings against erring members of the police force, much less on issues involving the PNP Chief who has jurisdiction over the IAS.

For this purpose, legislation that will strengthen the IAS is in order which will emphasize the independence of the IAS from the PNP hierarchy by granting it the authority to impose disciplinary sanctions against erring PNP personnel, subject only to review, in limited cases, by the Napolcom. The proposed policy measure should streamline the procedure to be followed and imposes timelines to be implemented by the IAS in administrative disciplinary cases filed with it, to ensure a speedy disposition of the cases filed with it.

The amendment of existing laws simplifying disciplinary procedure involving members of the police force is of urgent concern. The law should mandate that if police are involved in kidnapping or other major crimes, trial should be continuous and should be completed only within 60 days with another 30 days extension. This will prevent the police officers from harassing the victims and threatening witnesses and will serve as a firm example to others who want to use their position to break the law. Heads of police precincts where major crimes happen and remain unresolved should also be held accountable.

In the proposed policy measure, meritocracy in police duties and in public service should also be observed strongly, honoring excellence in work and the relevant provisions of the Constitution.

Of recent, the PNP has been undertaking a major revamp in Metro Manila to pave the way for some structural changes and operational strategies, the same is commendable. But it should not stop there: The process must be continuous with emphasis on the dismissal of those who have shown lack of integrity, dedication to duty and adherence to law and order while in police service.

Paper reform or verbal revamp will not be sufficient. The current PNP must work for the return of trust, confidence and respect of the citizens and the public to the members of the police force.

2. ***Appointing a Civilian to Head Internal Affairs Services (IAS), Implementing for the Purpose the Present Law.*** Of immediate implementation is the present provision of Section 40, RA 8551, on the appointment of a civilian head of the Internal Affairs Service. The said provision provides in full,

“Section 40. Organization. – National, regional, and provincial offices of the Internal Affairs shall be established. Internal Affairs Service shall be headed by an Inspector General who shall be assisted by a Deputy Inspector General. The area offices shall be headed by a Director while the provincial offices shall be headed by a Superintendent: ***Provided, That the head of the Internal Affairs Service shall be a civilian who shall meet the qualification requirements provided herein.***”

3. ***Setting-Up A Dedicated PNP National Emergency Hotline to Help in Crime Prevention.*** The PNP must immediately establish a dedicated, accessible and toll-free national emergency hotline to receive reports of request for assistance and feeds of criminal activities nationwide. It should be a state-of-the-art call center for the integration and coordination of communication and information system of the country in crime prevention and in the future, aid in traffic management.

It should be maintained by the PNP. At present, the police hotline is being managed and operated by a private foundation—for purposes of long-time continuity and because it will be for stronger crime prevention.

4. ***Integrity Issues and Request to Increase Budgetary Allocations for an Effective PNP.*** To equip the police force with sufficient arms and equipment so that police officers and men can perform their duties supported with sufficient and scientific techniques and provided with vehicles, transport, arms and communication equipment which work and are maintained to be serviceable.

This is significant in the light of an internal report from the Police Management Office which summarizes clearly what the police themselves see their gravest problems and glaring realities the police force face every day:

- Ninety-two percent of the national police's annual budget goes to personnel services or salaries and allowances of PNP personnel. Less than 8% percent goes to maintenance and other operating expenses and less than one 1% is set aside for capital outlay. This has been the situation for the last five years.
 - Eighty percent or 1,282 police stations all over the country are considered illegal settlers on lands or buildings owned by local government units or private individuals. Police precincts are made of inferior materials, making both the station and its personnel vulnerable to hostile enemy action or to forces of nature.
 - The force is still 65% short of land patrol vehicles, 80% short of aircraft and 76 percent short of watercraft. Limited fuel supply limits the police from doing continuous patrols. Inadequate communication equipment leads to poor coordination among police, while most police stations lack proper equipment for the execution of their duties.
 - Fifty-seven percent or 67,489 of PNP personnel are still in dire need of decent shelter. Sixty percent from the rank of Police Officer 1 (PO1) to Police Officer 3 (PO3) personnel actually live below the poverty line.
 - PNP uniformed personnel are not covered by the Social Security System or the Government Service Insurance System, and only half of the pension budget requirement is allotted to the PNP.
 - The PNP has only one tertiary hospital situated in Camp Crame (national police headquarters) and 16 dispensaries nationwide. Health service equipment and facilities are old and outmoded. The PNP General Hospital spends a measly P125.92 (US\$2.70) for every patient confined there.
5. ***Barangays as Effective Partner in Crime Prevention.*** To endorse to the DILG, the PNP and other relevant offices the feasibility of re-tapping again the services

of the barangays in intelligence gathering. In the recommendations of former Barangay Captain and now VACC Chair Martin Diño and Ms. Teresita Ang-See, barangay officials are most familiar with their constituents and are mandated by law to help law enforcers. In a way, this is a mechanism of community-oriented policing program that in the past has shown a seal of synergy, cooperation and coordination.

6. ***Re-examining PLEB Law.*** The re-examination of existing law on the effectiveness of the *People's Law Enforcement Board (PLEB)*, taking into account its use as a means for speedy justice, in the fast-tracking of administrative cases against erring policemen and for possible increase in the honorarium of a PLEB Chairman and members, considering the number of cases they have to dispose of.

As an information, the PLEB was created in the Local Government Code of 1991 and cited in the PNP Law, to help assist the citizens in their problems with their neighborhood police. The same is designed too to declog administrative cases involving policemen.

7. ***Study on SIM Cards Registration.*** The NTC must conduct a study on the establishment of a registry of pre-paid cards to prevent them from being used for heinous crimes or if an assessment has been made, to submit the same citing that it can be the strongest literature to support such policy measure.

8. ***The Case of DG Alan La Madrid Purisima: Bringing Back Integrity in PNP.*** The over-arching tenet governing government service is sweepingly and summarily stated in Article XI, Section 1 of the 1987 Philippine Constitution: "Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice, and lead modest lives."

In the case of police officers, the additional requirements stated in the PNP Law are as follows: That they must possess a good moral character, of sound mind and body and must not have been convicted of a final judgment of an offense or crime involving moral turpitude.¹⁹

¹⁹ RA 6975, as amended, Section 30 (b), (C), (g)

Time and again, the command that “public office is a public trust” is the shining parameter an officer and employee in government must adhere to and observe. This is because the basic idea of government in the Philippines is that of a representative government, the officers being mere agents and not rulers of the people, one where no man or set of men has a proprietary or contractual right to an office, but where every officer accepts office pursuant to the provisions of law and holds the office as a trust for the people to whom he represents.”²⁰

The members of law enforcement are demanded a higher sense of good character. The main rationale is because they are literally the protectors of the citizens, the shield against all wrong-doings that may be committed. As the father or the head of police force, the Director General of the PNP is exacted the highest qualifications and sense of honor, a granite commitment to uphold the law and the strictest discretion to pursue order.

And leadership by example is a command that the highest official of the PNP must possess and the torch the PNP Director General must carry on. In his words, “as the leader of your National Police force, I take responsibility for making sure that the elected representatives of the people are provided the information they need to carry out meaningful reforms within the police organization.”²¹

The following verbatim quotation of the exchange of information is significant:

ON THE DISCOUNTED 2013 TOYOTA LAND CRUISER:

THE CHAIRPERSON (SEN. POE). ...*Ang isa pa pong tanong ko, 2013 mayroon kayong late model Land Cruiser, 2013 po ito, valued at 1.5 million. Tama po ba?*

MR. PURISIMA. Yes, Your Honor.

THE CHAIRPERSON (SEN. POE). *Saan po kayo nakabili ng Land Cruiser na 2013 na 1.5 million? Parang maraming magkaka-interest po diyan.*

²⁰ The 1987 Philippine Constitution A Reviewer-Primer, by Fr. Joaquin Bernas, S.J., citing the ponencia of Justice Malcolm in the landmark case of *Cornejo v. Gabriel*, 41 Phil 188, 194 (1920), p. 313

²¹ TSN, September 30, 2014, 10:40 a.m.

MR. PURISIMA. *Ito pong Land Cruiser na ito, Your Honor, ay nabili ko mismo sa dealer ng Land Cruiser dito po sa San Fernando, Pampanga na nagkataon po ay nagbigay ng malaking diskwento dito sa Land Cruiser na ito²² noong panahon na iyon.*²³

xxx

xxx

xxx

THE CHAIRPERSON (SEN. POE). *Pero kahit na ba, sabihin na natin P4 million iyong Prado, malaki pa rin iyong diskwentong naibigay sa inyo.*

MR. PURISIMA. *Malaki po.*²⁴

ON THE DONATED "WHITE HOUSE":

THE CHAIRPERSON (SEN. POE). ...So, for the record po, iyong White House na pinag-uusapan, ano ba itong gusaling ito?

MR. PURISIMA. Your Honor, ito po ay isang donasyon na ipinagkaloob po sa Philippine National Police sa akin pong pamamagitan.²⁵ *Mga tatlong tao ang nakalista dito po sa Absolute Deed of Donation na hawak ko po ngayon. I will submit it to you, Your Honor.*²⁶

xxx

xxx

xxx

MR. PURISIMA. *Hindi po. Personally po kakilala ko po sila pero ayaw po nilang lumabas sana in public na sila po ang donor kaya lang po nung lumabas po itong isyung ito, kinausap ko sila na it is now mandatory on their part na kailangang lumutang na kayo para ma-legalize yung donation.*²⁷

²² Emphasis supplied.

²³ Page 76 of the Transcript.

²⁴ Page 77 of the Transcript.

²⁵ Emphasis supplied.

²⁶ Page 80 of the Transcript.

²⁷ (Emphasis supplied) Page 85 of the Transcript.

d. Presidential Decree No. 46 (Making it Punishable for Public officials and Employees to Receive, and For Private Persons to Give Gifts on Any Occasion, Including Christmas).

The rationale behind the above-cited laws is to insulate public officials from being influenced to favor gift-givers in the former's exercise of their respective duties and/or functions. It must be emphasized that the above laws, as well as jurisprudence, frown upon mere receipt of "gifts" by a public official.

Likewise, in the interim, as a test-case for the Internal Affairs Service (IAS), they must continue the inquiry and data gathering, bearing in mind that the administrative procedure that they will conduct must be impartial and must be bereft of biases. The IAS is tasked citing their mandate in R.A. 8551, as follows:

"Section 39. Creation, powers, and functions. An Internal Affairs Service (IAS) of the PNP is hereby created which shall:

- a) pro-actively conduct inspections and audits on PNP personnel and units;
- b) investigate complaints and gather evidence in support of an open investigation;
- c) conduct summary hearings on PNP members facing administrative charges;

x x x"

It must be stressed further that the PNP Chief is not any ordinary public official. The "command and direction of the PNP" is vested in the PNP Chief "who shall have the power to direct and control tactical as well as strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources."³¹ The PNP Chief heads the entire police force with the mandate to protect the people from various criminals whom the police force should neutralize and put to jail.

The substantial amount of discount given for the Toyota Land Cruiser which was way above industry practice indubitably amounts to a gift or donation in favor of the Chief

(d) Solicitation or acceptance of gifts. - Public officials and employees shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value from any person in the course of their official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of their office.

³¹ Section 26 of R.A. No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990."

PNP presumably by reason of his office. In addition, the Php 11.46 Million donation for the "White House" while ostensibly given to the PNP as an institution was coursed through the Chief PNP and used for the construction of a building for the personal use and convenience of the Chief PNP invites a deeper investigation by the Ombudsman regarding rules on ethical standards.

Further, the funds donated that made possible the construction of the White House needs a closer investigation as to how said funds came to the PNP's disposal. It is important to know if the PNP Chief solicited for such funds or such were voluntarily offered/given to the PNP. Likewise, it is also paramount to know if such funds were specifically allotted by the donors to be used for the construction of the White House or was it the PNP Chief or any other top PNP official who directed the utilization of said funds to construct the White House for the PNP Chief's convenience. The answers to the foregoing questions will determine if the above-enumerated laws were violated and it will likewise show how the PNP Chief exercised his discretion as a leader in possibly prioritizing the construction of the White House despite the dilapidated PNP dormitory, cramped PNP housing projects, decrepit police stations and insufficient supplies for PNP personnel and units, among others.

The Ombudsman is also urged to look into apparent disparity in the means of the Chief PNP and the properties listed in his SALN with particular note on the amount of total monthly amortizations for his luxury vehicles which appear to be substantial even if the combined net monthly salaries of the Purisima spouses are reckoned with. Only an exhaustive examination of the Chief's other incomes, reported or not, would lend a plausible explanation on this matter. The Office of the Ombudsman is the proper venue to afford DG Purisima the chance to fully clear himself of the allegations, and the public, as well as the institution he leads, deserve to know the truth.

Ignorance of the law excuses no one from compliance therewith. No one is exempt. Certainly on this score, much more is expected from the chief law enforcer of the land as the leader of the police force tasked with the enforcement of laws.

On the present increasing rate of criminalities and other illegal activities in the country, including some high profile incidents involving PNP personnel and/or officers in active service, the Committee cannot close its eyes as to the possible violation by the PNP Chief

of the above-listed statutes so as to eradicate all doubt in the public's mind that our police force is being headed by a personality with questionable integrity and transparency, as well as the PNP's leadership and the direction that the PNP is geared to take.

It is the position of this Committee that the PNP Chief must possess utmost integrity and exercise transparency and that the PNP Chief is a public servant serving under the mandate and trust given to him by our countrymen. Likewise, the PNP Chief must act to the best interest of the people and all PNP units and personnel. Thus, this Committee urges the Office of the Ombudsman to expedite the resolution of the cases filed against the PNP Chief involving the foregoing matters/issues for the benefit of the PNP as an institution and the public order and for the police organization to regain public trust.

9. *Committee Report to the Ombudsman and IAS.* That a copy of the Committee Report be forwarded to the Office of the Ombudsman and the Internal Affairs Service, together with the relevant transcript of records of the public hearings conducted and necessary documents submitted to the Committee.