


**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**

Senate
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RECEIVED BY: 

**SENATE
Proposed Senate Resolution No. 761**

Introduced by Senator Aquilino "Koko" Pimentel III

**A RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO
CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE
KILLING OF JOHN FRANCES OMPAD ALLEGEDLY BY A
POLICE OFFICER IN RODRIGUEZ, RIZAL, WITH THE END
IN VIEW OF IDENTIFYING GAPS IN OUR CRIMINAL
PROCEDURE AND PROPOSING PREVENTIVE AND
PUNITIVE MEASURES AGAINST POLICE MISCONDUCT
AND ABUSE**

1 **WHEREAS**, pursuant to the 1987 Constitution, Republic Act
2 No. 6975 made it the policy of the State to promote peace and order,
3 ensure public safety and further strengthen local government capability
4 aimed towards the effective delivery of the basic services to the
5 citizenry through the establishment of a highly efficient and competent
6 police force that is national in scope and civilian in character¹;

7 **WHEREAS**, the Philippine National Police (PNP) is tasked by
8 the said law to enforce all laws and ordinance relative to the protection
9 of lives and properties, maintain peace and order and take all necessary
10 steps to ensure public safety, investigate and prevent crimes, effect the

¹ Section 2. Department of the Interior and Local Government Act of 1990, Republic Act No. 6975, [December 13, 1990]

1 arrest of criminal offenders, and bring offenders to justice and assist in
2 their prosecution, among others;

3 **WHEREAS**, lately the PNP has been involved in headline news
4 involving the unnecessary, unprovoked, and unjustifiable killing of the
5 very people they are meant to protect, to wit:

- 6 • On June 16, 2021, 16-year-old Johndy Maglinte in Laguna
7 was allegedly shot by police even as he was wearing
8 handcuffs².
- 9 • On December 9, 2022, 34-year-old Gilbert Dalogdog
10 Ranos was allegedly mauled by a police officer and
11 experienced difficulty in breathing before he was
12 pronounced dead while under police custody³.
- 13 • On August 5, 2023, teenager Jerhode “Jemboy” Baltazar
14 was allegedly shot dead by Navotas police who mistook
15 him for a murder suspect that they were allegedly
16 pursuing⁴;

17 **WHEREAS**, the above enumeration of killings allegedly made
18 by the PNP, without any shootout or encounter involved, is just a
19 representative of a longer list of victims;

20 **WHEREAS**, while the killing of teenager Jerhode “Jemboy”
21 Baltazar is now the subject of an ongoing Senate investigation by the
22 Senate Committee on Public Order and Dangerous Drugs, still another
23 killing of a teenager has been allegedly committed again by the PNP,
24 this time in the Municipality of Rodriguez, Province of Rizal;

25 **WHEREAS**, past midnight on August 20, 2023, fifteen-year-old
26 John Frances Ompad was allegedly shot and killed by Cpl. Arnulfo
27 Sabillo of the Community Police Action Center 5 of the Rodriguez

² Neil Arwin Mercado. Eleazar: *PNP not ignoring alleged lapses in police operations*. INQUIRER.net. June 21, 2021 < <https://newsinfo.inquirer.net/1448853/eleazar-pnp-not-ignoring-alleged-lapses-in-police-operations>>.

³ MARIE TONETTE MARTICIO. *Cop charged for death of theft suspect in Maasin City*. Manila Bulletin. Dec 14, 2022. <https://mb.com.ph/2022/12/14/cop-charged-for-death-of-theft-suspect-in-maasin-city>.

⁴ *Supra* at 3.

1 Municipal Police Station. At the time of the shooting incident, Sabillo
2 was with his neighbor Jeffrey Baguio, as reported by the Rizal
3 Provincial Police Office (PPO)⁵;

4 **WHEREAS**, recounting the incident, the Rizal PPO said
5 Ompad’s brother, 19-year-old John Ace, was driving his motorcycle on
6 his way home around midnight that Sunday when he was told to pull
7 over by two men in civilian clothes⁶;

8 **WHEREAS**, it is reported that one of them said he was a police
9 officer and asked John Ace to show him his driver’s license. Instead,
10 John Ace sped away in his vehicle, prompting Sabillo, together with
11 Baguio as “angkas”, to chase John Ace all the way to his home in the
12 neighborhood of Southville 8B, Barangay San Isidro, in Rodriguez
13 town in the Province of Rizal⁷;

14 **WHEREAS**, according to the Rizal PPO, John Ace threw his
15 helmet at his pursuers as the policeman was drawing his sidearm.
16 Sabillo and Baguio then fell to the ground, after which several shots
17 were fired at John Ace’s direction, just as his younger brother John
18 Frances was stepping out of the house to check what was happening. A
19 bullet hit John Frances in the abdomen which caused his death, police
20 said⁸;

21 **WHEREAS**, both Sabillo and Baguio have been charged with
22 homicide and attempted homicide and are currently detained at the
23 Rodriguez Municipal Police Station Detention Center. Sabillo also
24 faces administrative charges which could lead to his dismissal from the
25 service⁹;

26 **WHEREAS**, according to the Revised Philippine National Police
27 Operational Procedures, the use of firearm is justified only if the

⁵ Dexter Cabalza. *Another teen killed by cop; second in 2 weeks*. Philippine Daily Inquirer. August 26, 2023. <https://newsinfo.inquirer.net/1822062/another-teen-killed-by-cop-second-in-2-weeks>.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

1 offender poses imminent danger of causing death or injury to the police
2 officer or other persons. The use of firearm is also justified under the
3 doctrines of self-defense, defense of a relative, and defense of a
4 stranger. However, one who resorts to self-defense must face a real
5 threat to his life, and the peril sought to be avoided must be actual,
6 imminent and real. Unlawful aggression should be present for self-
7 defense to be considered as a justifying circumstance¹⁰;

8 **WHEREAS**, a policeman is never justified in using unnecessary
9 force or in treating the offender with wanton violence, or in resorting
10 to dangerous means when the arrest could be affected otherwise¹¹;

11 **WHEREAS**, the events as reported show no indication of any
12 justification for the use of firearms by Cpl. Sabillo;

13 **WHEREAS**, leaving this matter uninvestigated amounts to
14 permitting wanton abuse of police authority, sanctioning selective
15 justice which unduly favors police personnel, and standing idly by as
16 public trust on our police force is quickly eroding;

17 **NOW, THEREFORE, BE IT RESOLVED** as it is hereby
18 resolved, to direct the appropriate Senate Committee to conduct an
19 inquiry, in aid of legislation, on the alleged killing of teenager John
20 Frances Ompad by a police officer in Rodriguez, Rizal, on August 20,
21 2023, with the end in view of identifying gaps in our criminal procedure
22 and in the PNP Manual of Procedures, and proposing as well preventive
23 and punitive measures against police misconduct.

24 *Adopted,*


AQUILINO "KOKO" PIMENTEL HI

¹⁰ REVISED PHILIPPINE NATIONAL POLICE OPERATIONAL PROCEDURES (2013)
<https://www.pro5.pnp.gov.ph/sorsogonppo/index.php/downloads/send/3-manuals/7-revised-philippine-national-police-operational-procedures>.

¹¹ *Cabanlig v. Sandiganbayan*, G.R. No. 148431, [July 28, 2005].