

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

CLERK OF THE SENATE
OFFICE OF THE SECRETARY

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SENATE

RECEIVED BY:

S.B. No. 1862

Introduced by HON. RAMON BONG REVILLA, JR.

EXPLANATORY NOTE

In a criminal case, conviction of the accused requires proof beyond reasonable doubt, this is so in order to overcome the cardinal rule that the accused must always be presumed innocent until the contrary is proven. This presumption applies regardless of the enormity of the crime for which he is charged and remains until a verdict is finally rendered.

However, in the judicial mill, many criminals go unpunished and are set free not because on the merits of their case but due to technicalities in the legal procedures, such as but not limited to the admissibility of the evidence presented.

One of the grounds of the inadmissibility of the evidence is that it is either altered, fictitious, tampered or destroyed primarily caused by the failure to secure the crime scene. In our society, if there is a crime committed, people come to the scene either to help or just to watch in order to satisfy their curiosity.

This proposed measure seeks to expand the coverage of Presidential Decree No. 1829, otherwise known as Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders, by penalizing unauthorized persons who go across the police cordon or line and those authorized persons who allow the commission of the said act. This is to preserve and protect the pieces of evidence that would lead to the successful apprehension and prosecution of criminals.

I therefore appeal for the immediate enactment of this measure.


RAMON BONG REVILLA, JR.

Section 2. THE PENALTY OF ARRESTO MAYOR OR A FINE RANGING FROM P500 TO P3,000.00, OR BOTH SHALL BE IMPOSED UPON ANY PERSON WHO WITHOUT AUTHORITY KNOWINGLY OR WILLFULLY GO ACROSS THE POLICE CORDON OR LINE. THIS IS TO PRESERVE AND PROTECT THE PIECES OF EVIDENCE THAT WOULD LEAD TO THE SUCCESSFUL APPREHENSION AND PROSECUTION OF CRIMINALS.

IF THE ACT IS COMMITTED BY A PUBLIC OFFICIAL OR EMPLOYEE, HE SHALL ALSO BE SUBJECT TO ADMINISTRATIVE SANCTIONS.

PROVIDED FURTHER, THAT ANY AUTHORIZED PERSON WHO ALLOWS THE COMMISSION OF THE SAID ACT SHALL ALSO BE SUBJECT TO ADMINISTRATIVE SANCTIONS.

SEC. 2. *Separability Clause* – If for any reason any section or provision of this Act is declared unconstitutional, other provisions hereof which are not effected thereby shall continue to be in full force and effect.

SEC. 3. *Repealing Clause*. – Any laws, decrees, or rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.

SEC. 4. *Effectivity Clause*. – This Act shall take effect upon its publication in at least two (2) national newspapers of general circulation.

Approved,