REVISED PNP MANUAL  
ON ANTI-ILLEGAL DRUGS  
OPERATIONS AND INVESTIGATION

PNP Anti-Illlegal Drugs Special Operations Task Force,  
Camp Crame, Quezon City,  
Philippines  
2014
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REVISED 2014

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MESSAGE

I congratulate the PNP Anti-Illlegal Drugs Special Operations Task Force (AIDSOTF) for coming up with the revised PNP Manual on Anti-Illlegal Drugs Operations and Investigation as a tool to further improve the competency of our police operatives and investigators in the fight against illegal drugs.

This manual serves as a quick guide to police operatives on the standard operating procedures for the conduct of illegal drugs operations as well as on how to effectively handle the investigation of drug offenses and aid in the prosecution of offenders.

I welcome the publication of this new and revised edition of the manual for it will certainly provide the updated information to enhance the organization’s capability to address the challenge and help boost the government’s campaign for criminal justice.

I urge all the men and women of PNP to pursue with renewed vigor their mandate of protecting the citizenry as well as working together with committed sectors of society in our collective effort to achieve a drug-free Philippines!

MAR ROXAS
Secretary of the Interior and Local Government
Chairman, NAPOLCOM
MESSAGE

My warmest greetings and congratulations to the Philippine National Police Anti-Illlegal Drugs Special Operations Task Force (AIDSOTF) for having initiated the revision of the PNP Manual on Anti-Illlegal Drugs Operations and Investigation to address emerging trends and complexities on drug trafficking in our country.

Indeed, drug syndicates and their cohorts have devised new strategies in their transnational operations. As you confront such situation, I am hoping your revised manual shall be an effective tool to further improve operational and investigative skills of PNP anti-drug operatives, to competently observe new legal procedures that will counter loopholes in the course of work and to ensure prosecution of drug cases.

Your initiative to come up with this revised manual demonstrates a profound commitment and dedication to enhance your capacity in fighting the drug menace and live up with your sworn duty to safeguard the community. Keep it up. Let us win this war against dangerous drugs and help establish a drug free Philippines.

God bless the AIDSOTF! God bless the men, women and leadership of the PNP!

HON. LEOPOLDO N. BATAOIL
Representative, 2nd District of Pangasinan
Member, Committee on Public Order and Dangerous Drugs
MESSAGE

I am pleased to extend my sincere appreciation and congratulations to the PNP officers and personnel of the Anti-Illlegal Drugs Special Operations Task Force for this revised PNP Manual on Anti-Illlegal Drugs Operations and Investigation.

As Chairman of the Dangerous Drugs Board, the policy making and strategy-formulating body in the planning and formulation of policies and programs on drug prevention and control, I am glad to note that our commitment to improve the services of our respective organizations has never stopped. Your intensified efforts to fight all forms of criminality manifest your desire to make our country a safer place to live.

The PNP's continuous collaboration with different Law Enforcement Agencies and Organizations fosters its sincere intent to contribute in nation building and development.

Again, my sincere regards to the leadership of the PNP and all its personnel for their deep sense of responsibility and community service, then and now.

Together let us make a drug-free Philippines!

ANTONIO “BEBOT” A. VILLAR, JR.
Secretary
Chairman, DDB
MESSAGE

Let me share my warmest greetings to the Officers and Members of the Philippine National Police in coming up with a Revised PNP Manual on Anti-Ilegal Drugs Operations and Investigation.

The Philippine National Police has been our steadfast partner in the fight against drug syndicates. With this updated Manual, I am optimistic that not only Police Officers but also our Agents would benefit from the approaches indicated in this guide-book.

I commend the Officers and members of the Technical Working Group who thoroughly and patiently reviewed the previous Manual to finally produce a more powerful tool in combating drug trafficking in the country.

On behalf of the Philippine Drug Enforcement Agency, I wish you all the best in your continuing service to our Country and people through your various Law Enforcement, peacekeeping and public safety programs.

Let us lead the citizenry towards a drug-free country. United, we can make it!

USEC. ARTURO G. CACDAC, JR. CESE
Director General
MESSAGE

It is with pride and appreciation that I extend my sincerest congratulations to the Officers and members of the Anti-Illegal Drugs Special Operations Task Force for initiating the revision of the “PNP Manual on Anti-Illegal Drugs Operations and Investigation.”

The AIDSOTF has significantly scored and continuously mounts successful interdiction operations against drug syndicates resulting in billions of pesos worth of seized illegal drugs and the arrest of high profile drug personalities. Truly a job well done!

The revision of this Manual is meant to help ensure a more effective campaign against illegal drugs considering the emerging trends in drug trafficking and innovations in law enforcement. Indeed, such initiative is timely and commendable.

I therefore urge our PNP personnel to read and use this Manual, as a constant guide and together, focus our efforts in keeping the Community and our children’s future safe from the threats of illegal drugs.

Ipagpatuloy natin ang paghahandog ng serbisyo makatotohanan sa sambayanan.

ALAN LA MADRID PURISIMA
Police Director General
Chief, PNP

“Serbisyo Makatotohanan”
FOREWORD

Our society has suffered much from the effects of illegal drugs, particularly the youth, who are most vulnerable to this threat.

Drug syndicates, pushers and their cohorts have found other methods in doing their operations and in a sense, makes anti-illegal drugs operations more complex. This Manual now serves to update our personnel on the newest trends and modus operandi that have emerged in drug trafficking.

Putting into use the concepts and lessons learned stressed in this Manual, our Police personnel are expected to level up in our campaign against illegal drugs, given a better grip on the issues of illegal drugs.

To our finest Police Officers, let us sustain the fight against illegal drugs. There is nothing more noble than saving lives and protecting the young from this social menace.

LEONARDO ARIAS ESPINA
Police Deputy Director General
The Deputy Chief PNP for Operations/
Chairman, PNP Oversight Committee
on Illegal Drugs
PREFACE

For years, the Anti-Illlegal Drugs Special Operations Task Force has been focused on its objective of intensified anti-illegal drugs operations, the arrest of drug personalities, ensuring the successful prosecution of drug cases against offenders and enhancing public awareness on illegal drugs.

The revision of the PNP Manual on Anti-Illlegal Drugs Operations and Investigation is a product of painstaking work that harnessed the positive ideas and modest contribution of dedicated Police Officers in ensuring that latest procedures and mechanisms needed to address latest drug trafficking strategies, are well-stated.

This Manual further aims to improve the operational and investigative skills of our PNP personnel in anti-illegal drugs operations. In so doing, we earn the trust and respect of the community which forms an integral component in our total fight against this social menace.

Let this humble work aid us to face squarely, the complexities of the illegal drugs threat with a firm resolve to overcome and defeat it.

BARTOLOME CONFESOR TOBIAS
Police Senior Superintendent
Chief, AIDSOTF
ACKNOWLEDGEMENT

The revision of the PNP Manual on Anti-Illegal Drugs Operations and Investigation is inevitable considering the need to address new trends in drug trafficking. Likewise, lessons learned from Supreme Court Rulings and Jurisprudence on drug cases shall enable our operatives/investigators to build air-tight cases and ensure its successful prosecution in court.

I would like to acknowledge the coordinated and determined efforts of PCOs, PNCOs, NUPs and other members of the Technical Working Group and Study Group who made possible, the revision of this Manual. In particular, PSSUPT BENIGNO B DURANA, JR, DO-LED; PSUPT LEONARDO R SUAN, Chief of Staff, AIDSOTF; PSUPT BEATRIZ S LISING, Chief, Operations and Plans Division, AIDSOTF and PCINSP (ATTY) ROQUE A MERDEGIA, JR, Chief, Legal and Investigation Division, Servicing Legal Officer, AIDSOTF who ensured the conduct of regular Technical Working Group meetings and the consolidation and incorporation of TWG inputs into this Manual.

Likewise, to the men and women of the PNP, DDB, PDEA, NBI and BOC, whose professional and experience-laden insights have been detrimental in the crafting of this Manual.

I therefore, look forward to a revitalized campaign against illegal drugs with Anti-Illegal Drugs Units personnel making maximum use of this Manual to enhance the success of their operations.

BENJAMIN MACLI-ING LUSAD
Police Senior Superintendent
Deputy Chief, AIDSOTF
Chairman, Technical Working Group
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“Tell me and I Forget,
Teach me and I may Remember,
Involve me and I Learn.”

- Benjamin Franklin
CHAPTER 1

INTRODUCTION

1.1 This Manual shall serve as a guide for PNP personnel, on procedures that must be observed in the course of anti-illegal drugs operations and investigation in accordance with provisions of Republic Act (RA) 9165 or the Comprehensive Dangerous Drugs Act of 2002 and its Implementing Rules and Regulations (IRR) as amended by RA10640.

Since its publication in 2010, the Manual has assisted the PNP in building air-tight cases against illegal drugs offenders and its successful prosecution in Court. However, new trends/modus operandi in drug trafficking have emerged, thus, the need to revise some provisions of the Manual to make it more responsive to the present illegal drugs situation.

Section 1-1 General Provision

1.2 Purpose. This Manual on Anti-Illlegal Drugs Operations and Investigation provides for standard rules to be followed by all PNP members and Units engaged in the enforcement of RA 9165 as amended by RA10640 in support to Philippine Drug Enforcement Agency (PDEA). It further provides guidance for the efficient and effective performance of their duties and responsibilities.

1.3 Declaration of Policy. The PNP in its anti-illegal drugs operations and investigation shall conform with the provisions of RA 9165, Rules of Court, and strictly observe the Rights of the Accused enshrined in the Bill of Rights under the 1987 Philippine Constitution, other allied laws, Rules and Regulations
as well as, internationally accepted principles of international laws, public policy, and due observance of Human Rights.

1.4 Governing Principles. All PNP members and Anti-Illlegal Drugs Units (AIDSOTF, RAIDSOTG, DAIDSOTG/PAIDSOTG/CAIDSOTG, SAIDSOTG, and other authorized Units) shall conduct their operation and investigation in accordance with RA 9165, other pertinent laws, rules and regulations, and shall observe the following principles in support to the mission and vision of the PNP:

a. Transparency in the operation and investigation process in support to PDEA with emphasis on the preservation of the integrity of the chain of custody of evidence pursuant to Section 21 (a) RA 9165 as amended by RA 10640 “to protect the integrity and probative value of the same, rights of the suspect/s under custodial investigation provided for under RA 7438” and in compliance with under the Rules of Court to ensure the conviction of the accused.

b. Accountability of all PNP members and Anti-Illlegal Drugs Units in the enforcement of RA 9165 shall be emphasized.

c. Adherence to the Constitution and the Law shall be observed in all anti-illegal drugs operations justified by pertinent provisions of Section 24, RA 6975, the Rules of Court on Criminal Procedure, and related Supreme Court Decisions.

d. Trustworthiness, Integrity, Responsibility, and Expertise (TIRE) of Team members shall be supported, promoted and maintained.

1.5 Scope and Application. This Manual on Anti-Illlegal Drugs Operations and Investigation, implementing RA 9165 or The Comprehensive Dangerous Drugs Act of 2002 as amended by RA10640, shall apply to all PNP members and its Anti-Illlegal Drugs Units in all levels.
1.6 **Standardization of Forms.** To avoid confusion, maintain uniformity, and the preservation of the chain of custody of evidence vital to the accomplishment of anti-illegal drugs operations, all pertinent documents shall conform to the standardized pro-forma Forms enumerated in the Annexes of this Manual.
CHAPTER 2

GENERAL RULES AND PROCEDURES

Section 2-1 Authority to Operate

2.1 The PNP shall have the following powers and functions in accordance with Section 24, RA 6975, as amended by RA 8551:

   a. Enforce all laws and ordinances relative to the protection of lives and properties;

   b. Maintain peace and order and take all necessary steps to ensure public safety;

   c. Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;

   d. Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws; and

   e. Detain an arrested person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution.

2.2 Republic Act 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, which was passed into law on June 7, 2002, overhauls the 30 year old Dangerous Drugs Act of 1972.

2.3 The PNP still possesses authority to conduct anti-illegal drugs operations provided that the case shall eventually be transferred to the PDEA based on Supreme Court Decisions in People of the Philippines versus Sta. Maria, G.R. No. 171019,
February 23, 2007 and People of the Philippines versus Rashamia Hernandez et. al., G.R. No. 184804, June 18, 2009. Hence, PDEA deputation is no longer necessary or required for PNP personnel assigned with Anti-Illegal Drugs Units.

2.4 The PNP is not prevented from conducting warrantless arrests under Section 5, Rule 113 and search incidental to a lawful arrest under Section 13, Rule 126 of the Rules of Court.

2.5 Letter from DOJ Secretary to the Chief, PNP dated July 29, 2014 reversing the previous DOJ Legal Opinion No 67 series of 2009. Upon closer review of the laws and jurisprudence, DOJ allows the PNP to set up a permanent Narcotics Investigation and Monitoring Center (NIMC) so long as it complies with the provisions of RA 9165 on the relationship of the PNP to the PDEA.

Section 2-2 Coordination Requirements

2.6 PNP Units, prior to any anti-illegal drugs operations shall, as far as practicable, coordinate with the Philippine Drug Enforcement Agency.

2.7 In any case, PNP Anti-Illegal Drugs Units shall coordinate/inform the PDEA of anti-illegal drugs operations within 24 hours from the time of the actual custody of the suspects or seizure of said drugs and substances as well as paraphernalia and transport equipment used in illegal activities involving illegal drugs and/or substances and shall regularly update the PDEA on the status of cases involving said anti-illegal drugs operations (Section 86 (a) IRR RA 9165).

2.8 The word “As far as practicable” as stated in Section 86, IRR, RA 9165, means that prior coordination with PDEA may be done, practiced or accomplished when feasible and possible to be performed. Nonetheless, it admits
exceptions. The following instances, among others, are deemed not practicable for prior coordination:

a. In remote places where coordination is not possible;

b. When coordination will compromise the lives of police operatives, informants and witnesses, involved in anti-illegal drugs operations;

c. When coordination will prejudice the apprehension of drug suspects and confiscation of illegal drugs and Controlled Precursors and Essential Chemicals (CPECs);

d. When prior coordination will compromise the entire police operation.

(Note: In the above instances, post coordination shall be made in lieu of prior coordination).

Section 2-3 Reporting Requirements

2.9 In every successful anti-illegal drugs operations, PNP SAIDSOTGs, CAIDSOTGs, DAIDSOTGs, PAIDSOTGs, RAIDSOTGs and NOSUs shall submit to the PNP AIDSOTF and the Directorate for Operations, copy furnished The Directorate for Intelligence, the following reports:

a. Spot Report

b. Development Report

c. After Operations Report

d. Progress Report
Section 2-4 Planning and Preparation

2.10 As a general rule, all operations must be preceded by adequate planning and preparation to ensure the successful prosecution of cases, observance of the rights of suspects, safety of operating elements and the security and integrity of seized items/evidence.

2.11 All high profile targets involving clandestine laboratory, multi-national targets, and transshipments shall be covered with a COPLAN to be submitted to PNP AIDSOTF for evaluation and appropriate action.

2.12 Good intelligence is indispensable in the planning and preparation for an operation. It must be a product of careful analysis of all relevant information such as maps, physical description of target premises, sketches, personality profiles of suspects, terrain and population analysis of the area(s) and other information that can contribute to the apprehension of suspects and/or seizure of prohibited items and evidence with the least danger posed to operating elements.

2.13 The designated Team Leader must determine the number of agents he/she will need to successfully implement the anti-illegal drugs operations. In choosing his members, the following shall be considered:

   a. Expertise;
   b. Experience;
   c. Technical Aptitude.

2.14 The Team Leader must, prior to the actual anti-illegal drugs operations, conduct a detailed briefing for the operating personnel. Charts, photographs, maps, etc., should be used as necessary and the specific duties and responsibilities of each member, clearly discussed.
2.15 Planning must include the proper handling and disposition of apprehended suspects and seized items wherein no apprehended person shall be released without clearance from the duly designated authority.

2.16 The Team Leader must be involved in the final phase of the planning to ensure clear understanding of the mission and the concept of the operation. This will allow him/her the opportunity to make recommendations based on the capabilities and limitations of the team.

2.17 The Team Leader, in coordination with the assigned Legal Officer should see to it that appropriate warrant/s are obtained.

2.18 Without sacrificing operational security, coordination must be done with local Police Units in the area of operation to prevent any possible confrontation in consonance to Rule 5 (Inter Unit Coordination) of the Revised PNP Operational Procedures.

2.19 The Team Leader must also designate an investigator who shall keep and preserve notes to record the actual conduct of the operation including valuable information that can be used in the prosecution of the case or in the conduct of future operations.

2.20 All operating Units shall designate a “Seizing Officer” who shall be responsible for taking into custody all illegal drugs and non-drug evidence during the anti-illegal drugs operations to ensure that all these evidences are safe and handled in accordance with Section 21 RA 9165 and its IRR as amended by Republic Act 10640.

2.21 The Team Leader shall submit to PDEA, a copy of the case folder after the filing of the case.

2.22 No PNP personnel shall be allowed to conduct a planned anti-illegal drugs operation unless he is a member of an Anti-Illegal Drugs Unit.
Section 2-5 Conduct of Operation

2.23 All anti-illegal drugs operations to be conducted shall be led by a Police Commissioned Officer except in far flung areas where there are no assigned PCOs. In such case, the most ranking Police Non-Commissioned Officer (PNCO) shall be designated as the Team leader.

2.24 In any anti-illegal drugs operation, the Team Leader must see to it that all actions are in accordance with the law, the crime-scene is preserved and well-managed, the suspects are arrested, all possible evidence are taken into custody and that the safety of operating elements and innocent people in the area of operations are ensured.

2.25 All PNP Anti-Illlegal Drugs Units shall be required to have at least one (1) female member operative who shall be responsible for arresting and frisking female suspects and for taking into custody, children found in the place of operation.

2.26 The Desk Officer shall maintain a record of the events, which include among others, jump-off time and date, name of the Team Leader, area/s of operation and vehicles used. A record book shall be preserved for the purpose and shall form part of the documents covering the operation.

2.27 Upon arrival in the area of operation, immediate area observation and assessment must be conducted by the Team Leader and last minute instructions to be given, as necessary.

2.28 In case an arrest is to be made, the arresting elements must do it immediately and with reasonable force, anticipating possible resistance with the use of deadly weapons which may be concealed in the suspect/s’ body, in a vehicle or in a place within arm’s reach.

2.29 Any arrested suspect shall be apprised of his/her CONSTITUTIONAL RIGHTS (I/We are Police Officers. I/we are
arresting you for violation of RA 9165. You are hereby informed that you have the right to remain silent. Anything that you say, can and will be used for or against you in any Court of Law. You have the right to a counsel of your own choice and if you cannot afford one, you shall be provided with a counsel to assist you. You can waive all this rights in the presence of a Lawyer and in writing. Do you understand these rights?)

“Kami ay alagad ng batas, inaaresto ka namin sa paglabag sa Republic Act 9165. Pinapaalalahanan ka namin na ikaw ay may karapatang manahimik o magsawalang kibo. Anuman ang iyong sasabihin ay maaring gamitin pabor o laban sa iyo sa anumang hukuman. Ikaw ay mayroon ding karapatang kumuha ng tagapagtanggol na iyong pinili at kung wala kang kakayahan, ito ay ipagkakaloob sa iyo. Nauunawaan mo ba ito?”

In instances wherein arrested suspects are foreign nationals or persons with impaired senses, Police Officers must inform them of their rights in a manner understood by them or through an interpreter, if practicable.

2.30 All arrested suspects must be handcuffed. Should there be shortage of handcuffs, suspects’ hands may be bound by any restraining material. In situations involving Children in Conflict with the Law (CICL), they shall not be handcuffed unless there is a valid reason to restrain them.

2.31 The Team Leader must see to it that all pieces of evidence from the suspect/s or those found in the area of operation are handled in accordance with Section 1.6 of this Manual.

2.32 Upon return of the operating personnel to their Station, the Duty Desk Officer must record the time and date of return, name/s of the arrested person/s, and other significant circumstances that transpired during the operation.
Section 2-6 Handling, Custody and Disposition of Drug and Non-Drug Evidence

2.33 During handling, custody and disposition of evidence, provisions of Section 21, RA 9165 and its IRR as amended by RA 10640 shall be strictly observed.

2.34 Photographs of pieces of evidence must be taken immediately upon discovery of such, without moving or altering its original position including the process of recording the inventory and the weighing of illegal drugs in the presence of required witnesses, as stipulated in Section 21, Art II, RA 9165, as amended by RA 10640.

2.35 The Seizing Officer must mark the evidence with his initials indicating therein the date, time and place where the evidence was found/recovered or seized.

2.36 Where the situation requires urgent action, suspected drug evidence seized or recovered may be subjected for “field-testing” using a drug test kit. If the result is positive, this will be the basis of the seizure and the conduct of further drug analysis.

2.37 Containers, packaging, equipment, etc., suspected of containing trace amounts of drugs including CPECs are considered drug evidence and shall be submitted for laboratory examination.

2.38 In every negation operation, a “Seizing Officer” shall be designated who would be responsible for the inventory and initial custody of all drug and non-drug evidence confiscated during the anti-illegal drugs operations. All these would later be turned over to the Investigation Officer or any member of the apprehending team, and submitted to the PDEA Laboratory Service or Crime Laboratory for further examination and proper disposition.
2.39 Digital evidence such as computers, laptops, cellphones, CDs, flash drives and other forms of storage peripherals found at the crime scene during the conduct of anti illegal drugs operations, shall be referred to the Anti-Cybercrime Group (ACG) for purposes of Forensic Digital Examination.

a. **Drug Evidence.**

1) Upon seizure or confiscation of illegal drugs or CPECs, laboratory equipment, apparatus and paraphernalia, the operating Unit’s Seizing Officer/Inventory Officer must conduct the physical inventory, markings and photograph the same in the place of operation in the presence of:

   (a) The suspect/s or the person/s from whom such items were confiscated and/or seized or his/her representative or counsel;

   (b) With an elected Public Official; and

   (c) Any representatives from the Department of Justice or Media who shall affix their signatures and who shall be given copies of the inventory.

2) For seized or recovered drugs covered by Search Warrants, the inventory must be conducted in the place where the Search Warrant was served.

3) For warrantless seizures like buy-bust operations, inventory and taking of photographs should be done at the nearest Police Station or Office of the apprehending Officer or Team.
4) If procedures during the inventory were not properly observed, as stipulated in Section 21, RA 9165 as amended by RA 10640, law enforcers must make a justification in writing for non observance of the same to prove that the integrity and evidentiary value of the seized items are not tainted.”

5) All the illegal drugs and/or CPECs shall be properly marked for identification, weighed when possible or counted, sealed, packed and labeled. The exact weight of the illegal drugs seized or recovered should be recorded in the Inventory and Chain of Custody Forms or Evidence Vouchers.

6) Within the same period, the Seizing/Inventory Officer shall prepare a list of inventory receipt of confiscation/seizure to include but not limited to the following:

   (a) Time, date and place of occurrence/seizure.

   (b) Identity of person/s arrested.

   (c) Identity of the Seizing Officer and all persons who witnessed the operations.

   (d) Circumstances in which the seizure took place.

   (e) Description of the vehicle, vessel, place or person searched from where/whom the substance was found.
(f) Description of packaging, seals and other identifying marks.

(g) Description of quantity, volume and unit/measurement method employed.

(h) Description of the substance found.

(i) Description of any preliminary identification test (test kit) used and its results.

7) Within 24 hours upon confiscation/seizure when practicable, all seized drugs and/or CPECs shall be submitted to the PDEA Laboratory Service or PNP Crime Laboratory for examination and proper disposition.

8) All pieces of drug evidence shall be turned over by the Seizing Officer to the Investigator-On-Case who shall submit the same to the PDEA Laboratory Service or PNP Crime Laboratory for examination. All the phases of turn-over of evidence must have corresponding receipts to show continuance of chain of custody.

9) The Seizing Officer shall properly accomplish the Chain of Custody Form and turn it over including the evidence to the Investigator-On-Case or the PDEA Laboratory Service or Crime Laboratory as the case may be.
The Link Diagram below shows the courses of action that must be undertaken by an operating Unit/operative in order to preserve integrity and evidentiary value of the seized drug item.

Figure 2.1 Chain of Custody of Evidence.

b. Non-Drug Evidence.

1) All pieces of non-drug evidence shall be photographed, inventoried and properly marked as required under Section 21, RA 9165 as amended by RA10640:

(a) Buy-bust money, if applicable.

(b) For motor vehicles, a sticker containing pertinent information (names of suspects, date and time of arrest, arresting Unit, and arresting Officers to include the place where the motor vehicle was seized) shall be attached on an area where it is most visible.

(c) For firearms, ammunition, explosives or other deadly weapons, tags containing the same information shall be attached:

(d) For smaller pieces of evidence, pertinent information such as quality, quantity and place where it was seized/recovered shall be placed inside the evidence bag.
(e) For digital evidence such as computers, cell phones, laptops, other similar gadgets, and storage peripherals, procedures indicated in the Miscellaneous Provisions of this Manual shall be strictly observed.

2) After the conduct of an anti-illegal drugs operation, the Investigator-On-Case shall immediately prepare a detailed report including photographs of all seized/confiscated non-drug evidence. As far as practicable, the Legal Officer of the operating unit should be present during the operation to ensure that all the information gathered can hold ground during Court proceedings.

3) For seized/confiscated motor vehicles, a Technical Inspection and Inventory Report (TIIR) shall be prepared by the Seizing Officer/Investigator-On-Case immediately after the seizure/confiscation in the presence of the suspect/occupant, whenever possible, with his/her signature affixed on the report.

c. Chain of Custody.

1) The Seizing Officer must preserve the integrity and evidentiary value of all evidences.

2) Persons handling drug evidence from the time of its seizure/confiscation should be limited to the Seizing Officer, the Investigator-On-Case and PDEA Laboratory Service or PNP Crime
Laboratory personnel. All non-drug evidence shall be turned-over to the evidence custodian.

Figure 2.2 PNP Drug Evidence Bag - Chain of Custody.

3) An acknowledgement receipt shall be issued by the person receiving the evidence. Such receipt shall form part of the case folder of the transmitting Unit.

4) The Seizing Officer shall accomplish the Chain of Custody Form and with it, submits the evidence to the PNP Crime Laboratory for examination.

Section 2-7 Airport and Maritime Interdiction Operations

1.40 The PNP-Aviation Security Group and Maritime Group shall establish their respective Anti-Illlegal Drugs Investigation Section for purposes of airport and maritime drug interdiction operations.
a. **Airport Interdiction.**

1) Operational procedures provided by the Ninoy Aquino International Airport - Inter-Agency Drug Interdiction Task Group (NAIA-IADITG) shall govern any drug interdiction operation conducted at NAIA. In other domestic or international airports that have existing procedures for drug interdiction, such procedures shall be observed.

2) For airports where there is no established IADITG, the following procedures shall be followed:

(a) In Airport Interdiction operations, the PNP AVSEGROUP must coordinate with the PNP-AIDSOTF regarding planned anti-illegal drugs operations.

(b) In all international airports in the country, all arriving passengers and cargo are under the jurisdiction of the Bureau of Customs. The PNP AVSEGROUP is the OPR in airport interdiction operations in so far as departing passengers are concerned.

(c) In domestic airports where there are no Bureau of Customs personnel available, the PNP AVSEGROUP shall be the OPR for both arriving and departing passengers and cargo as regard anti-illegal drugs operations.

(d) In cases where illegal drugs,
CPECs, paraphernalia and equipment are discovered by PNP AVSEGROUP personnel on the person, baggage or luggage of any passenger, rules and procedures prescribed under inflagrante cases of this Manual shall be observed.

(e) Whenever available, drug detection devices or aids such as K-9 dogs are to be used on luggage, freight, containers, etc. The PNP AIDSOTF may be requested to provide assistance in identifying the drug or chemical contrabands as well as in handling drug evidence.

(f) Unless agreed upon prior to the joint operation, routine inspection/s and effecting arrest of suspect/s as well as the investigation, thereof, is left to the PNP AVSEGROUP.

b. **Maritime Interdiction.**

1) In Maritime Interdiction operations, the PNP MARITIME GROUP must coordinate with PNP-AIDSOTF regarding **planned** anti-illegal drugs operations.

2) The PNP MARITIME GROUP shall strictly abide with the provisions of the **PNP MARITIME GROUP Seaborne Coastal Law Enforcement Procedures** and this Manual in implementing RA 9165.

3) Maritime Interdiction operations shall
be conducted in any of the following circumstances:

(a) Contraband brought aboard a vessel travelling in Philippine waters towards off-loading or landing area.

(b) Contraband being transferred to and from vessels at sea (mother-ship operation).

(c) Contraband brought by vessels close to shore preceded by signaling between vessels and the coast.

(d) Contraband brought aboard inflatable boats and small-crafts moving offshore at high speed (especially at night).

(e) Craft anchored or off-loading contraband in remote areas of the coastline.

4) The participating Agencies/Units, if practicable, shall be deployed at their designated areas of responsibility. In case drug traffickers change their drop-off points, the PNP-AIDSOTF shall redeploy supporting Units/Agencies (PNP MARITIME GROUP, PNP territorial Unit) to other locations.

5) Coordination and assistance from the nearest PNP territorial Unit and other Armed Services, where necessary, shall be made by the Unit concerned deployed at their area of jurisdiction.
6) The following are actions to be taken in instances wherein boarding by the PNP MARITIME GROUP on foreign or local ships is questioned due to legal issues:

(a) Members of the Boarding Team shall initially board and secure the ship and the suspects

(b) The Team notifies AIDSOTF or the nearest AIDSGOT (RAIDSOTG, PAIDSOTG, CAIDSOTG, MAIDSOTG) and requests for their assistance.

(c) The Evidence Collection Team gathers pieces of evidence taking into consideration, rules on evidence collection and preservation.

(d) The ship shall be anchored at the nearest seaport for proper inventory of seized items in accordance with requirements under Section 21, RA 9165 as amended by RA 10640.

(e) In the absence of required witnesses during the inventory, available Team Leaders of participating Units shall witness the proper inventory of the seized items.

(f) Conduct follow-up operations, if necessary.

7) The following are actions to be taken in situations wherein target ship has not been located:
(a) Coastal search patrols shall be conducted at probable landing points to seize illegal drugs and arrest those involved.

(b) Mobile checkpoints shall be established at probable escape routes of drug traffickers.

(c) In instances where drug traffickers are intercepted, seized drugs and arrested persons shall be brought to the nearest Police Station, for physical inventory of the evidence and investigation of the arrested suspects.

(d) In cases where illegal drugs, CPECs, paraphernalia and equipment are discovered by the PNP MARITIME GROUP on the person, effects, baggage or luggage of any passenger or crew of the vessel or inside the ship or vessel, rules and procedures prescribed under *Inflagrante Delicto* cases of this Manual shall be observed.

**Section 2-8 Responsibility of other PNP National Operating Support Units (NOSUs)**

2.41 In their normal police functions, PNP National Operating Support Units may conduct arrest and seizure operations in consonance with the provisions of Section 5, Rule 113 and Section 13 Rule 126 of the Rules of Court. In the investigation
and subsequent filing of cases, the rules provided under Section 25 of this Manual on Inflagrante Delicto cases shall be observed.

Section 2-9 Handling of Information on High Profile Targets

2.42 All information received by PNP Units involving High-Profile Targets (HPTs), suspected clandestine laboratories, CPECs Warehouses and Storage Facilities shall be referred to the PNP-AIDSOTF for the conduct of joint case-build up and negation operations.

Section 2-10 Observance of the Constitutional Rights of Suspects

2.43 All PNP members/Anti-Illlegal Drugs Units before making arrests, detain, and investigate, shall appraise suspect/s of their constitutional rights, with emphasis on their Right to remain silent and to a counsel as required by RA 7438 and Rule 113 of the Rules of Court.

Section 2-11 Prohibitions for PNP Members

2.44 No PNP member shall be allowed to conduct a planned anti-illegal drugs operation unless he is a member of an Anti-Illlegal Drugs Unit.
CHAPTER 3

SPECIFIC RULES AND PROCEDURES

Section 3-1 Planned Operations

3.1 Buy-Bust Operation. All warrantless arrests, searches, and seizures to be undertaken by PNP members/Anti-Illlegal Drugs Units shall be in accordance with Section 5, Paragraphs (a) and (b), Rule 113 and Section 13, Rule 126 of the Rules of Court, and relevant Supreme Court Decisions.

a. Prior to Buy-Bust.

1) The Team Leader shall see to it that prior reports on illegal drugs activities have been submitted which may include but not limited to the following classified reports:

   (a) Summary of Information on the target/s

   (b) Special Reports

   (c) Surveillance Report

   (d) Contact Meeting Report

   (e) Development Report

2) If practicable, a test buy may first be conducted. Upon acquisition, the illegal drugs purchased shall be photographed, marked, packaged, sealed and submitted
to the PDEA Laboratory Service or PNP Crime Laboratory for examination shall issue a laboratory result for the purpose.

3) Preparation of the buy-bust money. The “buy-bust” money shall be duly marked or dusted with ultra-violet powder by the PDEA Laboratory Service or PNP Crime Laboratory. It shall be properly photographed, reproduced and/or recorded indicating the serial numbers and the person who released the money, the Officer who received the same and had it delivered to the PDEA Laboratory Service or PNP Crime Laboratory for dusting. The Officer receiving the money shall issue a receipt for the purpose.

4) Coordination with PDEA, as far as practicable, including territorial Police Units.

5) Preparation of the Inventory Receipt of Evidence Form for recovered evidence, Technical Inspection and Inventory Report Form for recovered vehicles, and other pro-forma documents needed in the operation.

6) Preparation and inspection of the following: Firearms, communication, vehicles, camera and other equipment and documents to be used by the team members.

7) The Team Leader shall see to it that he has the contact numbers of representatives from the DOJ, Media and any Local Elected Official in the area for inventory purposes as required under Section 21, RA 9165.
8) The Team Leader, prior to the police operation, shall conduct a briefing emphasizing the role of every member of the team and remind everyone to observe Rights of Individuals. He shall then inform the Team on the pre-arranged signal to be executed by the poseur-buyer once the sale of illegal drugs has been consummated.

9) The Team composition and their functions may include the following:

(a) **Team Leader** - a Police Officer, preferably a PCO, responsible for his Team’s conduct of case build-up, raid, arrest, investigation, filing and monitoring of a particular case.

(b) **Assistant Team Leader** - a Police Officer who assists the Team Leader in fulfilling his tasks and responsibilities. He must also be prepared to take charge of the team in the absence of the Team Leader.

(c) **Poseur Buyer** - undercover Police Officer who act as a buyer of illegal drugs for purposes of effecting the arrest of the offender.

(d) **Arresting Officer** - a Police Officer tasked to apprehend the suspect/s.

(e) **Investigator-On-Case** - is the Police Officer who determines the cause or motive of the
crime, identifies and interviews witnesses, and effects arrest of suspect/s.

(f) **Seizing/Inventory Officer** - a Police Officer designated to confiscate and inventory all evidences taken from arrested suspects/s.

(g) **Back up security** - Police Officers responsible for the security of the raiding team and to control entry and exit of authorized persons in the area of operation.

(h) **Recorder** - a Police Officer who records all events/incidents that transpire during the conduct of the anti-illegal drugs operation.

10) The composition and functions of the operating team may be modified, as necessary, based on the demands of the situation.

b. **Actual Buy-Bust.**

1) The poseur-buyer must ensure that the suspect delivers the illegal drugs or accepts the marked or dusted money before giving the prearranged signal for the arrest. In pre-positioning team members, the designated arresting and/or back-up elements should strategically position themselves in an area where they can observe the negotiation/transaction between the suspect and the poseur-buyer.
2) On signal, the designated Arresting Officers shall immediately arrest the suspect/s and introduce themselves as Police Officers. They then inform the suspect/s of the nature of their arrest.

3) The Arresting Officers in informing the arrested suspect/s of their CONSTITUTIONAL RIGHTS must do so in a language or dialect known to them. (I/We am/are Police Officer/s I/we am/are arresting you for violation of RA 9165. You are hereby informed that you have the right to remain silent and to have a competent and independent counsel of your own choice, and if you cannot afford the services of a counsel you will be provided with one/Kami ay mga pulis, inaaaresto ka namin sa paglabag ng RA 9165. Pinapaalalahahan ka namin na ikaw ay may karapatang magsawalang kibo at magkaroon ng isang manananggol na iyong sariling pili, at kung hindi mo kayang umupa ng isang manananggol, bibigyan ka namin ng isa).

4) After the arrest, the arresting Officers shall search the body of the suspect for any deadly weapon and recovery of the buy-bust money.

5) The Seizing Officer shall immediately confiscate and take initial custody of the illegal drugs.

6) During the actual physical inventory, the Seizing Officer must mark, and photograph the seized/recovered pieces of evidence in accordance with the
provision of Section 21 of RA 9165 as amended by RA 10640 in the presence of:

(a) The suspect or person/s from whom such items were confiscated and/or seized or his/her representative or counsel;

(b) With an elected Public Official; and

(c) Any representatives from the Department of Justice or Media who shall affix their signatures and who shall be given copies of the inventory.

(Note: The presence of the above-mentioned witnesses shall only be required during the physical inventory of the confiscated items. If in case, witnesses mentioned above are absent, same should be recorded in the report.

7) In warrantless searches and seizures like buy-bust operations, the inventory and taking of photographs shall be made at the nearest Police Station or Office of the Apprehending Officer or Team whichever is practicable, however, concerned police personnel must execute a written explanation to justify, non-compliance of the prescribed rules on inventory under Section 21, RA 9165 as amended by RA 10640. Thereafter, the Arresting/Seizing Officer shall turn-over the
arrested suspects as well as seized items or evidences to the Investigator-On-Case who in turn, shall issue an acknowledgement receipt.

8) The Investigator-On-Case, in coordination with the Seizing Officer, shall submit the seized illegal drugs to the PDEA Laboratory Service or PNP Crime Laboratory for examination and analysis and the arrested suspect/s for physical/medical examination and laboratory screening test within twenty-four (24) hours, if the apprehending or arresting officer has reasonable ground to believe that the person apprehended or arrested, on account of physical signs or symptoms or other visible or outward manifestation, is under the influence of dangerous drugs.

c. After the Buy-Bust. After the conduct of Buy-Bust operation, the following shall be strictly observed:

1) The Investigator-On-Case shall prepare the Case Referral to the Prosecutor’s Office for inquest proceedings for violation of Section 5, Art II, RA 9165 and attach the following:

(a) Copy of the Spot Report

(b) Copy of the Inventory of Property Seized duly verified under oath

(c) Copy of the Request for and Result of Laboratory Examination/Chemical Analysis of seized items

(d) Copy of the Request for and
Result of Physical/Medical Examination and Laboratory Screening Test of the suspects

(e) Copy of the Request for and Result of Ultra Violet Examination on the buy-bust money used and the suspect

(f) Affidavit of Arrest executed by the Arresting Officer

(g) Affidavit of Poseur Buyer

(h) Affidavit of the Investigator on Case

(i) Accomplished Chain of Custody Form

(j) Copy of the initial laboratory screening test result

(k) Copy of the Receipt of Turn-Over of Evidence

(l) Copy of the Receipt of Turn-Over of arrested suspect/s

(m) Duly accomplished Booking Sheet and Arrest Report

(n) Photographs of the suspect/s and evidence

2) The Investigator-On-Case shall bring the arrested person together with the arresting personnel, Seizing Officer, other witnesses and the pieces of evidence to the Prosecutor’s Office for inquest proceedings.
3) After inquest, the Investigator-On-Case may ask the Court for the issuance of a Commitment Order turning over the arrested person/s to the Jail Warden for custody pending trial of the case. A copy of the case disposition by the Inquest Prosecutor/MTC Judge, Booking Sheet and Medical Examination Certificate of the suspect must also be attached to the report.

(Note: The case must be filed within the reglementary period prescribed under Article 125 of the Revised Penal Code as amended, wherein it provides for 12 hours for Light Offenses, 18 hours for Less Grave, and 36 hours for Grave Offense).

4) Thereafter, the Investigator-On-Case shall submit the After-Inquest Report to the Chief of Office and furnish the PDEA, a copy of the case folder and shall regularly update the latter on the status of the case.

5) The Investigator-On-Case and the Arresting Officers, respectively shall maintain a Case Tracking/Monitoring System or Record of the Case and shall inform in writing his immediate Officer and Higher Office if the case is dismissed or the suspect/s is released.

6) The Chief of Office shall ensure that all police witnesses shall religiously attend and testify in court during the trial and shall require them to secure a Certificate of Appearance from the Court and to submit an After Court-Duty Report.
3.2 Search and Seizure by Virtue of a Warrant. The following rules and procedures shall govern the responsibility of Anti-Illlegal Drugs Units in the application and implementation of Search Warrants:

a. Before the Application for a Search Warrant.

1) The Team Leader shall see to it that prior data/information has been acquired and reduced into classified report which may include but not limited to the following:

   (a) Summary of Information
   (b) Contact Meeting Report
   (c) Surveillance/Casing Report
   (d) Development Report

2) Once the identity, activities and location of the suspect/s are established, a test-buy shall be undertaken, to confirm the genuineness of illegal drugs in the possession of the target personality.

3) In the case of a clandestine laboratory and chemical warehouse, samples of the finished product or controlled precursors and essential chemicals must be obtained including photographs of the laboratory equipment and apparatus without compromising the operation.

4) Laboratory examination shall be requested and the pieces of evidence obtained in the test-buy submitted to the PDEA Laboratory Service or PNP Crime Laboratory. If the result of laboratory
examination turns positive for illegal drugs and/or CPECs, the deposition of two (2) witnesses shall be prepared and the application for a Search Warrant shall be made. (Rules on Criminal Procedure, Rule 126).

1) All applications for Search Warrant before the LOCAL COURTS shall be endorsed by Regional, Provincial, District, City Directors, Chiefs of Police and NOSU Directors as the case maybe, or duly designated authorities. However, if there is reasonable ground to believe that the application in the Local Courts shall compromise the operation, the applications for SW for violation of RA 9165 may also be filed before the Executive Judges of Manila and Quezon City with the personal endorsement of the C, PNP or TDIDM as provided for under Supreme Court Administrative Matter No. 08-4-4-SC, dated July 7, 2009.

2) The application shall contain the following:

(a) Office applying for the Search Warrant;

(b) Name and signatures of applicant, deponent-witnesses and approving authority;

(c) Name of the subject/aliases;

(d) Nature of the offense;

(e) Exact address of place to be searched;
(f) Specific statement of facts and items to be seized. If necessary, indicate specific facts that would justify the service of the Search Warrant other than day time;

(g) Sketch and pictures of the place to be searched;

(h) Surveillance video (optional/if doable); and

(i) Description or pictures of subject persons, if available.

3) Upon endorsement of the Chief of Office concerned, the application shall be filed with the Court having jurisdiction over the area during office hours. However, the application may be filed after office hours, during Saturdays, Sundays and holidays, provided that the applicant certifies and states the facts under oath, to the satisfaction of the Judge, that its issuance is urgent as provided for under Supreme Court Administrative Circular No 19 dated August 4, 1987. In view of this, concerned Units are encouraged to coordinate with and acquire the addresses and contact numbers of Judges in their respective areas of jurisdiction.

4) Upon issuance of the Search Warrant, the Team Leader shall inform the Chief of Office of its implementation. The Unit which has acquired the Search Warrant must inform PNP-AIDSOTF for monitoring purposes.
b. **During the Service of a Search Warrant.**

1) A Search Warrant must be served within **ten (10) days** (otherwise it shall be void) from its issuance. Before engaging in any type of search and seizure operation, a review of the provisions of Rule 126 of the Revised Rules of Criminal Procedure and PNP Operational Procedure must be done.

2) Things or personal properties not specifically indicated or particularly described in the Search Warrant **shall not be taken unless illegal or prohibited per se.**

3) Implementation or service of Search Warrant shall be under the supervision of a designated Team Leader, Chief of Office or an assigned Ground Commander, as the case may be.

4) An **Operating Team** (SAF, RPSB, PPSC, SWAT, EOD, etc), regardless of its size, should be organized with delineated tasks to ensure the success of the anti-illegal drugs operation. The following are the tasks of participating Police Teams/Individuals:

   (a) **Supervisor** - Acts as Ground Commander and must ensure the orderly and proper conduct of search.

   (b) **Entry Team** - To neutralize armed elements inside the target area and ensure the safety and security of the participating teams.
(c) **Search and Investigation Teams** - composed of Police Officers tasked to perform specific functions such as to seize, inventory, record, photograph-document, and investigate arrested suspects in the area of operation.

(d) **Perimeter/Security Team** - The team secures the outer perimeter of the target area and maintains ground control. It shall also establish a police line, which would determine those who would be allowed into the inner perimeter. All unauthorized persons shall stay outside the perimeter line.

(e) **VIP/Media Handling Team** – Ensures the smooth handling of VIPs, Media and authorized Officials in the area of operation in coordination with the **Supervisor** and the **Site Safety Control Officer**. He/she shall record the names, positions, addresses, and the purpose of their visit as well as his/her advice or actions taken.

(f) **Processing/SOCO Team** - The team that undertakes the collection, documentation and forensic examination of collected physical evidence with the end view of establishing facts relative to a crime scene. The presence of a SOCO team is a must if the subject of the Search Warrant is a
clandestine laboratory, chemical warehouse or storage facility. The SOCO Team composition is as follows:

(1) **Team Leader** – establishes and maintains site control; manages the processing of the crime scene and coordinates all functions of the SOCO members; coordinates with other law enforcement agencies as needed; responsible for the consolidation of laboratory reports and other SOCO documents relative to the case.

(2) **Site Safety Control Officer** – an Officer *(preferably a chemist)* who has undergone training in Clandestine Lab Site Safety and Emergency Procedures. Together with the Forensic Chemist, he/she conducts initial assessment of the scene, determine the level of protective equipment necessary for the processing; ventilate and render the area safe. He/She monitors the well being of team members and constantly assesses and identifies
hazards and/or potential dangers; and safeguard them to prevent injury or illness. He/she shall be responsible for briefing the operating team, VIPs, Media, DOJ or Court Officers and others, regarding the hazards of CPECs and the prevailing situation.

(3) **Forensic Chemist** – will conduct initial assessment of the scene, shutdown chemical reactors, conduct inventory of items in the scene, conduct field testing and sampling of the specimens and identifies which pieces of evidence should be brought to the laboratory for further analysis.

(4) **Evidence Log Recorder/Custodian** – records items processed at the site and takes custody of pieces of evidence to be brought to the laboratory for examination.

(5) **Photographer** – documents the macro and micro details of the target area using camera and video cam.
(6) **Sketcher** – takes sketches and records key measurements in the crime scene.

(7) **Fingerprint specialist** – lifts fingerprints found in the crime scene.

(8) **Driver/Security** – ensures no unauthorized or unnecessary access to the scene and provides physical security to the SOCO elements and equipment.

(Note: Other teams may be added in the composition of the Operating Team depending on the situation such as Medical, HAZMAT and Fire Fighting Teams)

5) All information regarding the search and seizure operations are on a need-to-know basis. The following should be observed during the Pre-Search and Seizure Operations Briefing conducted on the day of the implementation of the SW:

(a) The Team Leader conducts initial briefing and assigns tasks to each member without mentioning the identities of the subjects and location of the target area.

(b) In instances where several Units are involved in the operation, a Ground Commander shall
be designated to coordinate the movements and efforts of the teams involved. Team Leaders must brief their own members on their specific tasks. A Command Post is to be established for the purpose.

(c) Prior entry assignments must be given attention and tasks covering the following are explained:

(1) Custody and handling of evidence;
(2) Custody and handling of arrested suspects;
(3) Custody and handling of seized vehicles;
(4) Custody and Handling of minor suspects;

(d) The final briefing should be conducted immediately prior to jump-off and as close as possible to the time and target place where the SW will be implemented to preserve confidentiality of the information. At this stage, detailed description or identity of the suspect/s, the exact target area shall be revealed to Team members. Team members should know the nature of the drug evidence being sought as described in the SW to help them determine where it may be hidden as well as the detailed
description of the vehicles used, supporters and possible escape routes of the suspect/s.

6) The following procedures shall be observed during entry stage:

(a) The Entry Team shall occupy the area, takes control and secure it. The Search Team enters and assesses the situation. The Perimeter/Security Team then establishes a police line.

(b) The Team Leader shall read, explain and furnish a copy of the Search Warrant to the suspect/s or occupant/s in the presence of at least two (2) witnesses preferably elected Officials or responsible persons in the area.

(c) In case of resistance, the Entry Team shall subdue the suspect/s with reasonable force, e.g., breaking open any barrier of a house or any part of a house after the agents have given a loud and clear notice of the authority and purpose (e.g. “We are Police Officers. We have a warrant to search these premises” or “Kami po ay mga pulis at merong kautusan na maghalughug sa iyong nasasakupan”) and have waited for a reasonable amount of time for the occupant to open the door.
7) After clearing and securing the area, the following search procedures shall be observed:

(a) The Search Team and the required witnesses shall enter the premises and perform the following:

(1) Each subject of the SW/Occupant should be properly identified and frisked for weapons. They shall at all times be present during the conduct of the search. Thereafter, they shall be put under guard.

(2) In all cases, the search must be witnessed by at least two (2) responsible persons in the vicinity, preferably elected Officials.

(3) Only properties described in the Search Warrant shall be seized:

- Properties that are subject matter of the offense; (**Illegal drugs, CPECs, Laboratory equipment, apparatus and paraphernalia**);

- Properties that are stolen or embezzled and other proceeds or fruits of the offense;
• Properties used or intended to be used in the commission of an offense;

• Properties or items/objects which are illegal per se, e.g. firearms and explosives; and

• Those that may be used as proof in the commission of an offense.\(Documents, Bankbooks, Titles, Certificates of Registration, etc which can be used as evidence in Anti Money Laundering Case)\)

(b) If the target area to be searched has two (2) or more rooms or enclosures, each room or enclosure must be searched one (1) at a time in the presence of the same witnesses. (The subject of the SW and two (2) other witnesses preferably elected Officials or responsible individuals residing in the locality).

(c) The photographer shall take pictures of the search being made in the presence of the arrested suspects and witnesses to the search.
(d) Thereafter, the photographer takes pictures of the actual physical inventory and the markings on the items or articles seized, still, in the presence of the arrested suspect/s, elected Public Officials or any representatives from the Department of Justice or Media as required under Section 21, RA 9165 as amended by RA 10640.

(e) The owner or occupant of the house/target area and the two (2) witnesses shall be made to execute and sign a certification that the search was conducted in an orderly manner in their presence and that nothing was lost or destroyed during the search and that nothing was taken except those mentioned in the Search Warrant. The owner or occupant must be given a copy of the receipt of seized items/property. If the suspect or occupant of the premises refuses to sign the documents, his/her refusal therein must be indicated therein. (Refer to Annexed Format Documents).

8) Inventory of the seized items shall be done in the following manner:

(a) The Seizing Officer shall immediately take possession of all items or articles seized as evidence or taken into custody for proper disposition.
(b) In case of clandestine laboratories, chemical warehouses or storage facilities, the CPECs or other property seized as evidence should be properly accounted for and listed in the receipt of inventory and should be attached to the Search Warrant. Each article seized will be described in the inventory list as completely as possible indicating the physical description, the location where it was found, time, date and the Seizing Officer’s name.

(c) Upon seizure or confiscation of the illegal drugs or CPECs, the Seizing Officer shall conduct the actual physical inventory, take photographs and mark the same in the presence of:

(1) The arrested suspect/s or the person/s from whom such items were confiscated and/or seized or his/her representative or counsel;

(2) With an elected Public Official; and

(3) Any representatives from the Department of Justice or the Media who shall affix their signatures and who shall be given copies of the inventory.
(d) The Seizing Officer shall issue a detailed Inventory Receipt of seized evidence to the person in whose possession it was found and the witnesses as required under Section 21, RA 9165 as amended by RA 10640.

c. **After the Search/Return of the Search Warrant.**

(1) The SW applicant must immediately deliver, [actual or constructive delivery; e.g. by phone or any fastest means of communication] the things or property seized to the judge who issued the warrant, together with an inventory thereof duly verified under oath.

(2) In the case of a clandestine laboratory, the SW applicant or Team Leader shall immediately call the issuing Judge and inform him about the result of the implementation of the SW and seek the Court’s approval for subsequent turnover of the seized evidence to the Investigator-On-Case or to the PDEA Laboratory Service or PNP Crime Laboratory as the case may be. (Section 12, Rule 126, Rules of Court).

   (Note: The applicant for SW or Team Leader must secure the telephone number of the issuing Judge or the Branch Clerk of Court after the approval of the Search Warrant).

(3) Upon the Court’s approval, the Seizing Officer, in coordination with the Investigator-On-Case, shall turn-over the
seized evidence to the PDEA Laboratory Service or PNP Crime Laboratory for examination and proper disposition. The Investigator-On-Case shall prepare the referral to the PNP Crime Laboratory.

(4) The arrested suspect/s shall be brought to the Office of the operating Unit and shall, be turned over to the Investigator-On-Case for investigation, documentation and other necessary actions.

(5) The Investigator-On-Case then brings the arrested suspects to the PNP Crime Laboratory for Laboratory Screening Test (within twenty-four (24) hours, if the apprehending or arresting officer has reasonable ground to believe that the person apprehended or arrested, on account of physical signs or symptoms or other visible or outward manifestation, is under the influence of dangerous drugs) and a Government-accredited hospital for Physical/Medical Examination.

(6) The Investigator-On-Case secures and collates all the results of the Laboratory and Medical Examination for attachment on the case referral to the Prosecutor for inquest proceedings.

(7) In instances where the arrested suspect/s are foreign nationals, the Investigator-On-Case shall make a formal communication to the Embassy concerned, Bureau of Immigration and other concerned Government Agencies such as (AMLC, NBI, etc)
(8) The Investigator-On-Case shall prepare the case referral for Inquest Proceedings before the Prosecutor’s Office with the following attachments:

(a) Copy of the Search Warrant;

(b) Copy of the Prior Coordination Form submitted to PDEA (as far as practicable);

(c) Copy of the Spot Report received by PDEA;

(d) Copy of the Receipt of Inventory of items seized/confiscated duly verified under oath;

(e) Copy of the Certification of Orderly Search;

(f) Photographs of the crime scene;

(g) Copy of the Receipt of Turn-Over of Evidence;

(h) Copy of the Receipt of Turn-Over of arrested suspect/s;

(i) Copy of the request for and results of the Laboratory examination, laboratory screening test and Medical examination on the drugs and the suspect/s;

(j) Copy of the Booking Sheet and Arrest Report;

(k) Photographs of the evidence seized and the suspect/s;
(l) Copy of the Affidavit of Arrest;

(m) Copy of the Affidavit of Seizing Officer;

(n) Affidavit of the Investigator on Case;

(o) Affidavit of other Witnesses, if any; and

(p) Others that may be submitted later.

(9) In cases where there is no arrested suspect, the Investigator-On-Case shall prepare the case referral to the Prosecutor’s Office for appropriate legal action with the following attachments:

(a) Copy of the Search Warrant;

(b) Copy of the Prior Coordination Form submitted to PDEA (as far as practicable);

(c) Copy of the Spot Report received by PDEA;

(d) Copy of the Receipt of Inventory of items seized/confiscated duly verified under oath;

(e) Copy of the Certification of Orderly Search;

(f) Photographs of the crime scene;

(g) Copy of the Receipt of Turn-Over of Evidence;
(h) Copy of the request for and results of the Laboratory Examination on the drugs;

(i) Photographs of the evidence seized;

(j) Copy of the Affidavit of Seizing Officer;

(k) Affidavit of other Witnesses, if any;

(l) Surveillance Report;

(m) Cartographic Sketches/Descriptions of suspect/s, if any; and

(n) Others that may be submitted later.

(10) After the filing of the case, the following procedures shall be undertaken:

(a) The applicant shall make a return of the Search Warrant to the issuing Court after the filing of the case;

(b) The Investigator-On-Case shall submit an After Inquest Report or progress report to the Chief of Office;

(c) The Investigator-On-Case shall furnish PDEA a copy of the case folder with complete attachments;

(d) The operating Unit shall regularly update the PNP-AIDSOTF, DO
and PDEA on the status of the case;

(e) The Investigator-On-Case and the arresting Officers shall maintain a case tracking/monitoring system or record of the case and shall inform in writing his immediate Officer and Higher Office if the case is dismissed or the suspect/s is released; and

(f) The Chief of Office shall ensure that all police witnesses shall religiously attend and testify in Court during the trial and shall require them to submit an After Court Duty Report.
Figure 3.1 Flowchart on Provisions of Sec 21, RA 9164 as amended by RA 10640 for Buy-Bust and Inflagrante Operations.
Figure 3.2 Flowchart on Provisions of Sec 21, RA 9164 as amended by RA 10640 for Search Warrant Implementation.
Figure 3.3 Flowchart for Legal Procedures in a Drug Case.
Figure 3.3 Flowchart for Legal Procedures in a Drug Case (continuation).

A

DETERMINATION OF PROBABLE CAUSE

PROSECUTOR WILL RENDER RESOLUTION FOR SIGNATURE OF CITY PROSECUTOR

PROBABLE CAUSE EXIT?

5 TO 30 DAYS DEPENDING ON THE PROSECUTOR

INQUEST PROSECUTOR RECOMMENDS THE RELEASE OF THE RESPONDENT (RFI)

INQUEST PROSECUTOR WILL PREPARE MEMORANDUM ON ACTIONS TAKEN FOR THE APPROVAL OF THE CITY PROSECUTOR

APPROVAL OF THE RELEASE?

ORDER OF RELEASE SHALL BE SERVED ON THE OFFICER HAVING CUSTODY

RELEASE

END

B

PROSECUTOR OFFICE WILL FILE INFORMATION BEFORE THE COURT

CASE WILL BE DOCKETED/RAFFLED

PRE-TRIAL

TRIAL
- PRESENTATION OF WITNESSES FOR THE PROSECUTOR AND THE DEFENSE
- FILING OF MOTIONS

RENDITION OF JUDGEMENT

CONVICTION?

YES

TURN OVER TO NATIONAL PENITENTIARY TO SERVE SENTENCE

END

YES

RESPONDENT SHALL REMAIN IN CUSTODY

B

NO

NO

RELEASER

END

END
3.3 Marijuana Eradication.

a. The eradication operations shall be preceded by an intelligence data gathering to verify the existence of the plantation of marijuana, opium poppy, coca bush and other plants which are sources of illegal drugs supported by documentary evidence: Summary of Information, maps, sketches and photographs.

b. After identifying the exact location of the target plantation, establishing the identity of the cultivator or owner of the land and making a threat assessment, the operating Team shall make an Operational Plan and coordinate with the local PNP and AFP Units in the area for air and ground support/assistance, if necessary, in the eradication operation.

c. In cases where armed suspects are sighted at the plantation site, Assault Teams composed of either PNP SAF, RPSB or PPSC, shall be deployed to neutralize the threat before Anti-Illlegal Drugs Operations Teams shall be deployed in the area.

d. Assault Teams shall immediately effect the arrest of any person found therein.

e. Thereafter, Eradication Teams shall proceed with the uprooting of illegal plants. Uprooted and/or cut plants shall be brought to a designated area for destruction.

f. Under close direction and supervision, Operating Teams may allow the voluntary participation of Barangay Officials and residents in the uprooting or cutting of the plants. Otherwise, they shall seek the cooperation of Barangay Officials in generating a hired-labor force from
among residents in the Barangay, depending on availability of operational funds.

g. All uprooted plants, seedlings and leaves must be destroyed and burned on site in accordance with provisions of Section 21 RA 9165 as amended by RA 10640, its IRR and DDB Regulations. The PDEA Laboratory Service or PNP Crime Laboratory shall take only substantial representative samples allowed by rules for evidentiary purposes.

h. The Team shall take photographs of the evidence from different angles before, during and after the process of uprooting, destroying and burning of the marijuana plants/seedlings.

i. A case shall immediately be filed against the owner/cultivator of the plantation.

3.4 Financial Investigation.

a. During the intelligence/surveillance phase of anti-illegal drugs operations, PNP operating Units must also gather information on possible money laundering activities of target personalities and their cohorts/accomplices.

b. Operating Units must check/examine the financial records of the suspect/s which include, among others, the following:

1) Bank account records (bank statements, deposit slips, encashed checks, credit card monthly billings, debit/credit memos, wire transfers, cashier’s checks, foreign exchange sold);

2) Business records (Articles of Incorporation/By-Laws, board minutes, stock record books);
3) Deed of conveyances (Deed of Sale, Deed of Donation, Deed of Transfer, etc);

4) TCTs, ORs/CRs of vehicles;

5) Payment of bills, purchase of materials, stock certificates; and

6) Anything which indicates that the money went into financial institutions or where money went/spent and where it came from.

c. If there is a need for financial investigation on the case, the PNP Anti-Illegal Drugs Unit shall refer the matter to the Anti-Money Laundering Council (AMLC) for appropriate action.

3.5 Controlled Delivery.

a. Intensive intelligence data gathering and evaluation to determine the applicability of controlled delivery operations shall be conducted prior to the anti-illegal drugs operations. Intelligence information derived from an informant, other police Units or international law enforcement agencies shall be properly recorded and documented. Controlled delivery shall be conducted to identify the persons involved, the source country and modus operandi of traffickers.

b. The operation must have a limited time-frame depending upon the magnitude of operations of drug syndicates, the involvement of target personalities, the capability of selected operating elements and the participation of international drug law enforcement agencies.

c. Selected elements joining the controlled delivery operations shall be isolated from other agents by confinement in a discreet place to be designated
by the Committee or Board to avoid any leak that may compromise the operation.

d. The conduct of controlled delivery shall either be, by way of a courier escorted by an undercover agent or by the combination of moving and electronic surveillance depending upon the magnitude of the operations, the source of illegal drugs to be delivered, the capability of participating elements and other circumstances affecting the operation.

e. DDB Regulation No. 2 Series of 2002 provides for the policies and guidelines in the conduct of controlled delivery operations (see Appendix E).

3.6 Clandestine Laboratory.

a. Signs and Indicators of a Clandestine Laboratory:

1) Strong chemical odors;
2) The windows are blackened out or curtains are drawn;
3) Renters pay cash;
4) Occupants are unfriendly, secretive or exhibit signs of paranoia;
5) Access to the building or area by the landlord/visitors is denied;
6) Presence of security and surveillance gear or unusual security measures;
7) Exhaust fans are running at odd times;
8) Unusual vehicle and human traffic at odd hours;
9) Continuous sound of generators and fans; and

10) High electric power consumption.

b. **Actions that should be taken upon discovery of a Clandestine Laboratory:**

1) Leave the area at once, your safety is paramount;

2) Never touch, taste or smell any chemicals or equipment;

3) Do not attempt to stop the chemical reaction;

4) Do not tinker with any electrical device such as lights or fans;

5) The simple act of turning on an electrical switch may cause an explosion;

6) Do not shut off the water supply to the house or the chemical reaction;

7) Do not smoke inside or near a Clandestine Laboratory;

8) Do not use tools, radios, mobile phones, torches or devices that produce spark or friction; and

9) Do not re-enter the premises.

c. **Clandestine Laboratory Hazards:**

1) Many clandestine laboratory operators use the drug they manufacture and may be extremely paranoid. Handguns and assault rifles are weapons of choice for them.
2) The operating Team must be well protected from dangers of toxic chemicals and they are to approach all clandestine laboratory situations with the assumption that there are booby traps in the area.

3) Chemical hazard is the most prevalent danger common to all clandestine laboratory. The presence of chemicals is an immediate threat to law enforcement Officers wherever the laboratory or storage facility is found.

4) Fire/Explosion may happen with the presence of incompatible flammable chemicals at the clandestine laboratory site. Sometimes, fire and explosion are the reasons for the discovery of clandestine laboratories or storage facilities.

d. Safety Precautions in entering Clandestine Laboratory Site:

1) Determine first the hazard priorities such as flammable atmosphere, Immediately Dangerous to Life and Health (IDLH) atmosphere, booby traps, electrical hazards, reaction in progress, confined spaces, unknown atmosphere and gas cylinders.

2) As much as possible, when at the laboratory site, do not stay longer inside the site to avoid further contamination.

3) When one suspects of being exposed to chemical hazards at the laboratory site, move to a safe location, remove clothing, flush skin with water, if there
is no available water use non alcoholic beverage if available, call for help and restrict movement.

4) Stay in an area where the wind is going opposite your direction.

5) Prevent unauthorized entry at the site.

6) After entering the clandestine laboratory site and or completing the operation, take a bath, change your clothing and dispose of it properly. This will eliminate and/or minimize your exposure to chemicals that maybe present at the clandestine drug laboratory.

Golden Rule in entering a Laboratory Site:

“DO NOT TOUCH, HANDLE, MOVE, DISCONNECT and OPERATE anything that can be found inside the drug laboratory unless you are trained, working with a team and properly equipped. Ventilate the room or building by opening doors and windows to outside air.”

e. Guidelines on Investigation of a Clandestine Laboratory and Storage Facility:

1) All operations involving clandestine laboratories and storage facilities shall be coordinated with the PNP AIDSOTF for technical assistance, proper assessment and evaluation prior to any negation operation.

2) A case conference shall be conducted to
determine the magnitude of the case.

3) A joint operation is encouraged to effectively process the clandestine laboratory and storage facility. A post operation investigation and site exploitation shall be conducted to ensure that documents, materials and organized drug personalities are identified.

4) The investigation shall commence with an intelligence data gathering process to verify the existence of the clandestine laboratory or storage facility and to identify the persons involved (usually foreigners) in its operations. The intelligence operations shall be appropriately documented by reports supported by sketches, maps, photographs and other relevant pieces of evidence.

5) Under no circumstance shall any person deliberately use his or her sense of smell, taste, or touch to identify suspected dangerous drugs, chemicals or hazardous materials or substances. Smoking is strictly prohibited in the clandestine laboratory site.

6) Provision for witnesses staging area must be established for documentation purposes in compliance with Section 21 of RA 9165 as amended by RA 10640.

7) A decontamination procedure must be done for personnel emerging from the site.

f. Preservation of Clandestine Laboratory Evidence. After a PNP Anti-Illlegal Drugs Unit
has successfully seized a clandestine laboratory, it shall ensure that all evidences are properly preserved. It shall strictly observe the following measures:

1) All pieces of evidence shall be handled and processed appropriately, having in mind the possibility of lifting latent prints.

2) Any evidence on hand shall not be moved unless first photographed or videotaped. The photograph or videotape shall contain the date/time, sequence, and caption including a complete description of the vehicle, location, etc. The film shall be stored properly as evidence.

3) Once the pieces of evidence have been processed, precursors, intermediate and finished products, glassware and paraphernalia with trace amounts shall be brought to the forensic laboratory for examination, unless the size of the collected evidence is such that would make it difficult to transport.

4) All documents found in the laboratory shall be preserved in their totality. They shall also be examined for fingerprints.

5) In case of possible actual environmental leakage of chemicals in the laboratory or any incident that would endanger public health and safety, guidelines developed by the DOH and DENR with reference to Republic Act 6969 shall be followed.

6) The bulk of chemicals and any
contaminated laboratory hardware, including glassware shall be preserved and secured in the clandestine laboratory until after ocular inspection by the Court.

g. **Post Investigation of a Dismantled Clandestine Laboratory.** When a clandestine laboratory is dismantled, investigators should conduct a deeper investigation on the illegal drugs, controlled precursors and essential chemicals found in the laboratory:

1) Collect all documents for paper trail examination and indicators that might lead to identification of those involved, the origin of the chemicals, and how it was obtained and brought to the country (diversion or smuggling through the airports, seaports or coastal areas).

2) Examine controlled chemical containers for labels and markings to determine manufacturer and country of source or origin.

3) All examined labels and markings shall also be referred to PDEA Compliance Service to determine the source of the materials.

4) Conduct post arrest interview on the suspect/s to elicit further useful information such as who obtained the controlled chemical and when, where and how it entered the country.

5) Coordinate with PDEA and DDB upon receipt of Court Order relative to the disposal of evidence.
Section 3-2 Unplanned Operations

3.7 Inflagrante Delicto Cases. Are acts committed in violation of RA 9165 subject for warrantless arrest, search, and seizure and classified in this Manual as an unplanned operation with the exception of cases enumerated under planned operation.

a. Other Inflagrante delicto cases in violation of RA 9165 are hereby enumerated, among others as follows:

1) Search made incidental to a valid arrest;
2) Search of moving vehicles, vessels and aircrafts;
3) Seizure of dangerous drugs, CPECs etc, which are concealed in smuggled items;
4) When there is a consented search;
5) Seizure of evidence in plain view (evidence which can be seen in plain view without need of search done in Police Check-Points Routine Police Patrol and Inspections); and
6) Other police operations analogous to the foregoing.

b. The following procedures shall be observed by PNP members or Anti-Illlegal Drugs Units, in the enforcement of warrantless arrest under Section 5, Rule 113 and Section 13, Rule 126 of the Rules of Court:
1) The apprehending Team shall immediately arrest the person found to be violating infra grante, provisions of RA 9165.

2) Illegal drugs, CPECs, paraphernalia and equipment, shall be immediately seized and taken into custody by the apprehending Team.

3) The Seizing Officer shall thereafter conduct the physical inventory and photograph the evidence in accordance with the provision of Sec 21 of RA 9165 as amended by RA 10640. (Refer to the Rule on Chain of Custody)

4) The Seizing Officer shall submit the seized or confiscated items to the nearest PDEA Laboratory Service or PNP Crime Laboratory for examination and analysis;

5) The arresting Officer shall bring the arrested suspects to their Office for proper custody, documentation and proper disposition.

6) The arrested suspect/s shall be presented to the PNP CL for drug testing and any Government-accredited Hospital for physical/medical examination.

7) The assigned Investigator-On-Case shall collate the results of the examinations, prepare appropriate charges and refer the case to the Prosecutor’s Office for inquest
proceedings. He shall submit the following:

(a) Copy of the Spot Report duly received by PDEA;

(b) Copy of the Receipt of the Inventory of items seized/confiscated and duly verified under oath;

(c) Photographs of the crime scene;

(d) Copy of the Receipt of Turn-Over of Evidence;

(e) Copy of the Receipt of Turn-Over of the arrested suspect/s;

(f) Copy of the request for and results of the Laboratory Examination for Chemical Analysis on the seized drugs;

(g) Copy of the request for and results of the Laboratory Screening Test and Physical/Medical Examination of the suspect/s;

(h) Copy of the Booking Sheet and Arrest Report;

(i) Photographs of the evidence seized and the suspect/s;

(j) Copy of the Affidavit of Arrest;

(k) Copy of the Affidavit of Seizing Officer;
(l) Affidavit of other witnesses, if any; and

(m) Others that may be submitted later.

8) The Investigator-On-Case shall thereafter, submit a report to the Chief of Office.

9) The Investigator-On-Case shall furnish PDEA with a complete set of the case folder and regularly update the same on the status of the case.

10) The Chief of Office and the Investigator-On-Case shall maintain a Case Monitoring System or records of the case and shall ensure the religious presence of PNP witnesses during Court proceedings/trial to ensure the conviction of the accused.
CHAPTER 4

PENAL AND ADMINISTRATIVE SANCTIONS

Section 4-1 Criminal Offenses

4.1 In addition to criminal liability which may be incurred for violations of existing penal statutes, the following persons shall be charged under RA 9165:

a. PNP personnel shall be held liable for committing the following acts:

1) Misappropriation
2) Misapplication
3) Failure to account

for confiscated, seized or surrendered illegal drugs, plant sources of illegal drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment including the proceeds or properties obtained from unlawful acts as provided for under RA 9165. (Sec. 27, RA 9165).

b. Any PNP Officer who commits “planting of evidence” involving any illegal drugs and/or controlled precursor and essential chemical, regardless of quantity and purity. (Sec. 29, RA 9165)

c. Any PNP officer who is a witness in a drug case, after due notice, who fails or refuses intentionally
or negligently, to appear as a witness for the Prosecution in any proceeding without any valid reason shall be held criminally liable. (Sec. 91, RA 9165)

d. Any immediate Superior of a PNP personnel who is a witness in a drug case shall also be held criminally liable, if despite due notice to them and to the witness concerned, the former does not exert reasonable effort to present the latter in Court. (Sec 91, RA 9165)

e. Any immediate Supervisor who fails to notify the court where the case is pending within twenty-four (24) hours from approval, without compelling reason, of the order for the transfer or re-assignment to any other Unit located in another territorial jurisdiction, of any PNP personnel who stands as a witness in a drug case; (Sec 91, RA 9165)

f. Any Police Officer tasked with the prosecution of drug related cases who, through patent laxity, inexcusable neglect, and unreasonable delay deliberately causes the unsuccessful prosecution and/or dismissal of said drug cases; (Sec. 91, RA 9165)

Section 4-2 Administrative Offenses

4.2 In addition to criminal liability that may be incurred, any PNP member found to have been violating paragraphs (a) to (f) of Section 26 hereof, shall be held administratively liable
after the conduct of Summary Dismissal Proceedings for Grave Misconduct before the proper PNP Disciplinary Authority in accordance with NAPOLCOM MC 2007-001 or other issuances amending or modifying the same.
CHAPTER 5

MISCELLANEOUS PROVISIONS

Section 5-1 Observance of Allied Laws, Rules, and Regulations

5.1 Procedures to be Observed in the Handling of CICL as Prescribed by Section 20-A of RA 10630. From the moment a child is taken into custody for violation of RA 9165, the Law Enforcement Officer shall:

a. Properly identify himself as a Police Officer and present his proper identification to the child;

b. Explain to the child, in simple language and in a dialect that he/she can understand, the reason why he is being taken into custody and the offense he/she allegedly committed;

c. Refrain from using vulgar or profane words and from sexually harassing or abusing or making sexual advances to the child;

d. Avoid displaying or using any firearm, weapon, handcuffs or instrument of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;

e. Refrain from subjecting the child in conflict with the law to greater restraint than is necessary for his/her apprehension;

f. Avoid the use of unnecessary force;
g. Search on a child in conflict with the law shall only be done by a Police Officer of the same gender as the child;

h. Determine the age of the child;

1) Request for a copy of a Birth Certificate duly authenticated by NSO;

2) If the arrested person claims that he/she is a minor but could not produce a Birth Certificate or any proof of his/her claim, dental examination/analysis shall be conducted by the Crime Laboratory Service or a competent medical practitioner on said suspect.

i. Take the child immediately to a proper medical and health Officer for a thorough physical and mental examination. The examination result shall be kept confidential, unless otherwise ordered by the Family Court. Whenever medical treatment is required, steps shall be immediately undertaken to provide the same;

j. Turn over custody of the child to the Local Social Welfare Development Office (LSWDO) or other accredited NGOs immediately or not later than eight hours after apprehension and notify the child’s parents/guardians and the Public Attorney’s Office (PAO) of the child’s apprehension;

k. When the child is 15 years old or below, he shall be immediately released to his parents or guardian or nearest relative. However, if the child is above twelve years of age up to fifteen years of age and commits offenses under RA 9165 which is punishable by more than 12 years of imprisonment, he/she shall be deemed a
neglected child under PD 603, as amended, and shall be mandatorily placed in a youth case facility or “Bahay Pag-asa” called the Intensive Juvenile Intervention and Support Center (IJISC);

i. Should detention of the child in conflict with the law be necessary, the child shall be secured in a quarters separate from that of the opposite sex and adult offenders. The child shall not be locked up in a detention cell;

m. Take the statement of the child in the presence of:

1) The child’s counsel of choice or in the absence thereof, a lawyer from the PAO;

2) The child’s parents, guardian, or nearest relative, and

3) LSWDO;

n. In the absence of the child’s parents, guardian or nearest relative, and the LSWDO, the investigation shall be conducted in the presence of an NGO, religious group or member of the Barangay Council for the Protection of Children (BCPC);

o. Ensure that all statements signed by the child during investigation shall be witnessed by the child’s parents or guardian, social worker, or legal counsel in attendance who shall affix his signature to the said statement;

p. Record the following in the initial investigation:

1) Whether handcuffs or other instruments of restraint were used, and if so, the reason for such; and
2) That the parents or guardians of a child, the DSWD, and the PAO have been duly informed of the apprehension and the details thereof.

q. The exhaustion of measures to determine the age of a child and the precise details for failure to submit a child for physical and medical examination in such case; and

r. The Police Officer shall at all times, ensure respect for the rights of the child in conflict with the law as provided for in the Philippine Constitution, domestic laws, the Convention on the Rights of the Child and other related international human rights instruments.

5.2 Procedures in Handling Digital Evidence. In the event wherein digital evidence may be found at the scene of the drug operations, it is necessary that these are identified and handled properly. Typical digital evidence found are computers but there may be more.

a. **What to Seize.** The following are digital evidence that must be considered by a First Responder:

1) Computer
2) Server
3) Tower
4) Ipad and Tablets
5) Hard disks
6) Diskette
7) CD
8) Zip Disk
9) Tape Backups
10) Other Storage Media
11) Pen Camera
12) USB Watch
13) DVR and Camera
14) Mobile Phones

b. **Other devices to be seized**
   1) Any externally connected devices
   2) CD’s and DVD’s
   3) Computer keys
   4) Cradles
   5) Dongles
   6) Manuals
   7) Modems
   8) Paper records or notes from the surrounding area
   9) Power supply units
   10) Wireless networking equipment

c. **Immediate Actions at the Incident/Crime Scene:**
   1) Secure the scene;
   2) Allow printers to finish printing;
3) Immediately restrict access to any computer or power supply;

4) Do not take any device from the user or owner of the computer;

5) If power is OFF, DO NOT TURN IT ON; and

6) Immediately request for professional forensic assistance from ACG.

d. **If Computer is Switched Off:**

1) Make sure the computer is on power off, otherwise, treat it as one that is running;

2) Photograph everything including system makeup and what connects with what;

3) Photograph the computer screen;

4) For laptops, remove the battery;

5) Unplug power from all devices. **Make sure to remove power lead from the computer end, not the wall socket end;** and

6) Label all connectors on the end of the cable and socket to which they connect so the system can be later reconstructed;

e. **If Computer is Switched On:**

1) Photograph the computer screen and/or record all programs running that you can see;

2) Collect volatile data;
3) Unplug power from all devices. Make sure to remove power lead from the computer end not the wall socket end;

4) Label all connectors on the end of the cable and socket to which they connect so the system can be later reconstructed;

5) Isolate computers from Digital Movie Cameras;

6) If the computer is assessed to be networked, obtain professional forensic advice before doing anything;

7) If a destructive program is running that could cause loss of evidence (e.g. format, wipe, evidence eliminator type programs) pull the power from the back of the device;

8) If the screen shows a screensaver or is blank, then moving the mouse or pressing the up or down arrow key shall restore the screen; and

9) Record all actions performed using work notes.

f. **Smart Phones and Similar Devices:**

1) If power is OFF:
   
   (a) Do not turn it on;

   (b) Place Smart Phone in a sealed envelope before placing it in an evidence bag; and

   (c) If possible, locate the mobile phone charger
2) If power is ON:
   
   (a) Consideration should be given before turning devices off. There might be passwords/passkeys.
   
   (b) Immediately switch it to flight mode or place such on a faraday bag

3) Get the Smart Phone to a qualified forensic examiner as soon as possible, with all ancillary parts (power, charger, manual, spare memory etc); and

4) Smart Phone must have its batteries checked and regularly changed or be kept recharged to ensure no loss of evidence.

g. **DVD and Similar Devices**

1) Before extracting video data, make sure you bring along a clean storage media with large capacity (USB, CD or DVD).

2) Notes detailing methods used and steps taken must be documented.

3) Determine if a Manual is available to assist with system information.

4) Acquire and document the following information:
   
   (a) Digital Video Recorder Make, Model and Serial Number.
   
   (b) Determine if the CCTV System is PC-based or Stand-Alone.
(c) Make, Model and Number of Cameras installed. Determine the number of active cameras as against those that are inactive.

(d) System Date and Time of DVR versus Actual Time.

(e) System Username and Password.

h. **Golden Rules on Seizure and Handling of Electronic Evidence**

1) Safety Officer first secures the scene and make it safe.

2) Document everything (Work notes, Pictures, Sketch, etc.) and use latex glove in performing bag and tag procedures during seizure and evidence handling.

3) Have legal basis for seizing the digital evidence (plain view, search warrant, consent, etc.).

4) Do not access any computer files. If the computer is off, leave it off. If it is on, immediately acquire volatile data before performing bag and tag procedure.

5) If one reasonably believes that the computer is destroying evidence, immediately shut it down by pulling the power cord at the back of the computer.

6) Take pictures of the cybercrime scene before and after the operation.

5.3 All PNP members shall strictly observe and adhere to all existing regulations issued by the Dangerous Drugs Board pursuant to Sec 32, RA 9165.
CHAPTER 6

FINAL PROVISIONS

Section 6-1 Repealing Clause

6.1 All Publications, Manuals and Directives inconsistent with this Manual are hereby amended, repealed, and modified accordingly.

Section 6-2 Effectivity Clause

6.2 This Revised Manual of Anti-Illlegal Drugs Operations and Investigation shall take effect upon the approval of the Chief PNP.
# SUMMARY OF CHANGES

The following are the amendments that were incorporated in this Revised Manual on Anti-Ilegal Drugs Operations and Investigation.

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<td>Inclusion of other necessary procedures during Clandestine Laboratory Operations</td>
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<td>Defined provisions regarding CICL cases as prescribed by Sec 20-A of RA 10630.</td>
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<td>Absence of legal basis/jurisprudence to serve as reference</td>
<td>Insertion of the latest, relevant and important Supreme Court Rulings on crucial drug cases.</td>
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<td>Additional terms defined and reclassified as Glossary of Terms.</td>
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<td>Annexes Old Documentation Formats</td>
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## Abbreviations

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<th>Full Form</th>
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<td>ACG</td>
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<td>AIDSOTF</td>
<td>Anti-Illegal Drugs Special Operations Task Force</td>
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<td>AVSEGROUP</td>
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<td>BCPC</td>
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<td>CAIDSOTG</td>
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<td>CICL</td>
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<td>CMC</td>
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<td>CPECs</td>
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<td>DAIDSOTG</td>
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<td>DDB</td>
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<td>DOJ</td>
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<td>IDLH</td>
<td>Immediately Dangerous to Life and Health</td>
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<td>IJISC</td>
<td>Intensive Juvenile Intervention and Support Center</td>
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<tr>
<td>MC</td>
<td>Memorandum Circular</td>
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<td>NAIA-IADITG</td>
<td>Ninoy Aquino International Airport – Inter Agency Drug Interdiction Task Group</td>
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<td>NAPOLCOM</td>
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<td>National Bureau of Investigation</td>
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<td>PAIDSOTG</td>
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<td>PAO</td>
<td>Public Attorney’s Office</td>
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<td>Philippine Drug Enforcement Agency</td>
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<td>TIRE</td>
<td>Trustworthiness, Integrity, Responsibility, and Expertise</td>
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<td>SOCOC</td>
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Figure 2.1  Link Diagram on the Chain of Custody of Evidence

Figure 2.2  PNP Drug Evidence Bag - Chain of Custody

Figure 3.1  Flowchart on the Provisions of Sec 21, RA 9165 as amended by RA 10640 for Buy-Bust and Inflagrante Operations

Figure 3.2  Flowchart on the Provisions of Sec 21, RA 9165 as amended by RA 10640 for Search Warrant Implementation

Figure 3.3  Flowchart for Legal Procedures in a Drug Case
GLOSSARY OF TERMS

**Arrest** - the taking of a person into custody in order that he may be bound to answer for the commission of an offense.

**Arresting Officer** - a Police Officer responsible for the apprehension of the suspect/s.

**Buy-Bust Operation** - is an entrapment technique employed by a Peace Officer as an effective way of apprehending a criminal in the act of committing an offense.

**Case-build up** - series of activities in anti-illegal drugs operations such as but not limited to casing, validation, surveillance, verification etc, up to the time of completion of necessary information as basis for possible operations.

**Case Operation Plan (COPLAN)** - a classified document detailing the anti-illegal drugs operation to be conducted against specific targets.

**Chain of Custody** - the duly recorded authorized movement and custody of seized drugs or controlled precursors and essential chemicals or plant sources of dangerous drugs or laboratory equipment at each stage, from the time of seizure/confiscation; transmittal to the forensic laboratory for examination and safekeeping; presentation of the evidence in court and up to its destruction. Such record, of movement and custody of seized item shall include the identity and signature of the person who held temporary custody of the seized item, the dates and time when such transfers of custody were made in the course of safekeeping and for its use in court as evidence and final disposition.

**Chain of Custody Form** - is a document which contains the description of the seized items or articles, the authorized movement of the evidence from the time it was seized, inventoried and examined by the PNP Crime Laboratory and
the identity and signature of the person who held temporary custody of the same, the dates and time when such transfers of custody were made in the course of safekeeping and use in court as evidence.

**Chemical Warehouse** - any facility used as storage of CPECs, equipment and paraphernalia used in the manufacture of illegal drugs.

**Child in Conflict with the Law (CICL)** - anyone under 18 who comes into contact with the justice system as a result of being suspected or accused of the commission of an offense.

**Clandestine Laboratory** - any facility used for the illegal manufacture of any illegal drugs and/ or controlled precursor and essential chemical.

**Classified Information/Reports/Documents** - information, reports or documents classified as Top Secret, Secret, Confidential and Restricted which cannot be divulged without prior clearance from proper authorities.

**Confidential Informant** - any person who either furnishes information regarding illegal drugs trafficking or perform an activity under the specific direction of the Police or other authorized personnel.

**Confirmatory Test** - An analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test

**Controlled Precursors and Essential Chemicals (CPECs)** - those listed in Tables I and II of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the Annexes which are integral parts of RA 9165 and those classified by the Board pursuant to Section 93 of RA 9165.
Controlled Delivery - the investigative technique of allowing an unlawful or suspected consignment of any dangerous drugs and/or CPECs, equipment or paraphernalia or property believed to be derived directly or indirectly from an offense; to pass into, through or out of the country under supervision of an authorized Officer, purpose of which is to gather evidence and to identify the person involved in the illegal drugs-related offense, or to facilitate prosecution of the particular case under RA 9165.

Coordination - ministerial duty of operating Units involved in anti-illegal drugs operations to inform the PDEA and concerned territorial Units about the operation. It shall be made either personally, through telephone, fax machine, email, text messages or any electronic means, to be acknowledged by the receiving Unit through the Duty Officer. The purpose of which is to avoid a missencounter and to establish harmonious relationship between and among law enforcement Units in the accomplishment of a mission. Coordination shall mean adjusted to or in harmony with (Words and Phrases). Likewise, it means to work or act together harmoniously (Merriam Webster Dictionary).

Crime Scene Photographer - authorized PNP member responsible for taking photographs of the crime scene as well as the evidence seized and the arrested suspect in accordance with Section 21, Art II, RA 9165.

Den, Dive or Resort - A place where the illegal drugs and or CPECs is administered, delivered, stored for illegal purposes, distributed, sold and used in any form.

Digital Evidence - is any information or data that can be extracted from a computer systems’ digital storage media or computer network to include audio files, video recording, document files, and digital images.

Drug Evidence - any illegal drugs or CPECs, equipment, apparatus, paraphernalia, material, marked-money and any other item seized/confiscated during the anti-illegal drugs operation.
Drug Dependence - As based on the World Health Organization’s definition, it is a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drugs takes on high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination, or levels of use.

Drug Law Enforcement Operation - an official action conducted by the PNP aimed at reducing supply and demand of illegal drugs.

Eradication - the detection and destruction of plantations of marijuana, opium poppy, coca bush and other plants which are sources of illegal drugs, including the identification, arrest and prosecution of the planter, owner or cultivator of the land where the plantations are located.

Inflagrante Delicto - means in every act of wrong (Philippine Legal Encyclopedia). For purposes of this Manual, it shall refer to the actual commission of a violation of RA 9165.

Ground Commander - is the designated Police Commissioned Officer (PCO) who is directly responsible for the over-all supervision and control of the anti-illegal drugs operation conducted by concerned Units.

High-Profile Targets (HPTs) - Illegal Drugs personalities whether local or foreign, involved in the manufacture, importation, exportation, large scale distribution, transport or delivery of large quantities of illegal drugs, CPECs, laboratory equipment/apparatus, maintenance of a drug den, dive or resort and cultivation of plant sources of illegal drugs.

Intelligence - is a product created through the process of planning, directing, collecting, collating, and analyzing data, for dissemination as usable information that typically assesses events, locations or adversaries, to allow the appropriate deployment of resources to reach a desired outcome.
Interdiction - is the interception of illegal drugs being transported by air, water and land.

Interview - the process of eliciting information from witnesses, suspects and confidential informants.

Instrumentation - is the scientific examination of evidence collected in the course of anti-illegal drugs operations.

Investigation - is the collection of facts and evidences to accomplish a three-fold aim:
   a. to identify the guilty party
   b. to locate the guilty party
   c. to provide evidence of guilt

Investigator-On-Case (IOC) - is the Police Officer who determines the cause or motive of the crime, identifies suspects and interviews witnesses, and effects arrest of suspect/s.

Planned Operation - a designed police operation targeting personalities, syndicates and their accomplices involved in illegal drugs activities.

Poseur-buyer - an undercover Police Officer tasked to pose as buyer of illegal drugs for purposes of effecting the arrest of the offender.

Pusher - any person who sells, administers, delivers, give away to another or by any terms, distributes, dispatches, in transit or transports any illegal drugs or CPECs or who acts as a broker in any such transaction.

Recorder - a Police Officer responsible in recording the events that transpire during the conduct of the anti-illegal drugs operation.
**Screening Test** - a rapid test performed to establish a potential/presumptive positive result to the standards set forth under existing laws, rules and regulations.

**Search** - the examination of an individual's person, house, papers or effects or other premises to discover contraband or some evidence of guilt to be used in the prosecution of a criminal action.

**Search Warrant** - an Order in writing issued in the name of the People of the Philippines, signed by a Judge and directed to a Peace Officer, directing him to search for personal property described therein and bring it before the court. *(Sec 1, Rule 126, Rules of Court)*

**Seizing/Inventory Officer** - the Police Officer who is designated to seize and facilitate the inventory of the evidences recovered during the operation.

**Sell** - Any act of giving away any illegal drugs or CPECs whether for money or any other consideration.

**Surveillance** - Discreet observation of places, persons and vehicles for the purpose of obtaining information concerning the identities or activities of the subjects.

**Team** - Two (2) or more Police Officers tasked to implement an anti-illegal drugs operation.

**Team Leader** - a Police Officer, preferably a PCO, responsible for leading his team in the conduct of case build-up, raid, arrest, investigation, filing and monitoring of illegal drugs case.

**Use of Force** - is the application of reasonable force to subdue or effect the arrest of violators of RA 9165.
APPENDICES
APPENDIX A

REPUBLIC ACT NO. 10640

AN ACT TO FURTHER STRENGTHEN THE ANTI-DRUG CAMPAIGN OF THE GOVERNMENT, AMENDING FOR THE PURPOSE SECTION 21 OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE “COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002”

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

SECTION 1. Section 21 of Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002”, is hereby amended to read as follows:

“SEC. 21. Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment. – The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

“(1) The apprehending team having initial custody and control of the dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment shall, immediately after seizure and confiscation, conduct a physical inventory of the seized items and photograph the same in the
presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, with an elected public official and a representative of the National Prosecution Service or the media who shall be required to sign the copies of the inventory and be given a copy thereof: Provided, That the physical inventory and photograph shall be conducted at the place where the search warrant is served; or at the nearest police station or at the nearest office of the apprehending officer/team, whichever is practicable, in case of warrantless seizures: Provided, finally, That noncompliance of these requirements under justifiable grounds, as long as the integrity and the evidentiary value of the seized items are properly preserved by the apprehending officer/team, shall not render void and invalid such seizures and custody over said items.

“x x x.”

“(3) A certification of the forensic laboratory examination results, which shall be done by the forensic laboratory examiner, shall be issued immediately upon the receipt of the subject item/s: Provided, That when the volume of dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: Provided, however, That a final certification shall be issued immediately upon completion of the said examination and certification;

“x x x.”
SEC. 2. Implementing Rules and Regulations (IRR). – To implement effectively the provisions of Section 21, the Philippine Drug Enforcement Agency (PDEA) shall issue the necessary guidelines on the IRR for the purpose in consultation with the Department of Justice (DOJ) and relevant sectors to curb increasing drug cases.

SEC. 3. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 4. Repealing Clause. – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 5. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) FRANKLIN M. DRILON (Sgd.) FELICIANO BELMONTE JR.
President of the Senate Speaker of the House of Representatives

This Act which is a consolidation of House Bill 2285 and Senate Bill No. 2273 was finally passed by the House of Representatives and the Senate on June 9, 2014.

(Sgd.) OSCAR G. YABES (Sgd.) MARILYN B. BARUA-YAP
Secretary of the Senate Secretary General House of Representatives

Approved: JUL 15 2014

(Sgd.) BENIGNO S. AQUINO III
President of the Philippines
## APPENDIX B

### UNLAWFUL ACTS

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**Attempt or Conspiracy**

| i. Importation                                    | Sec. 26 | P500 T – P10 M | Life imprisonment to death         |
| ii. Sale, trading, administration, dispensation, delivery, distribution and transportation | Sec. 26 | P500 T – P10 M | Life imprisonment to death         |
| iii. Maintenance of a den, dive or resort         | Sec. 26 | P500 T – P10 M | Life imprisonment to death         |
| iv. Manufacture                                   | Sec. 26 | P500T – P10M   | Life imprisonment to death         |
| v. Cultivation or culture of plants which are sources of dangerous drugs |           | P500T – P10M   | Life imprisonment to death         |

Criminal Liability of a Public Officer or Employee for Misappropriation, Misapplication or Failure to Account

| Sec. 27 | P500T – P10M | Public Officer: Life imprisonment to death |
|         |              | Elective Official: Perpetual Disqualification to hold any public office |

Criminal Liability of Government Officials and Employees

| Sec. 28 | P500T – P10M | Absolute Perpetual Disqualification to hold any public office |

Criminal Liability for Planting of Evidence

| Sec. 29 | Life Imprisonment to Death |

Additional Penalty if Offender is an Alien

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APPENDIX C

LESSONS LEARNED BASED ON JURISPRUDENCE

2014 JURISPRUDENCE:

Non compliance of Sec 21 is not fatal

Clearly, the afore-cited rule authorizes substantial compliance with the procedure to establish a chain of custody, as long as the integrity and evidentiary value of the seized item is properly preserved by the apprehending Officers. In People v. Pringas, the Court recognized that the strict compliance with the requirements of Section 21 may not always be possible under field conditions; the police operates under varied conditions, and cannot at all times attend to all the niceties of the procedures in the handling of confiscated evidence.

This Court has consistently ruled that even in instances where the arresting officers failed to take a photograph of the seized drugs as required under Section 21 of R.A. No. 9165, such procedural lapse is not fatal and will not render the items seized inadmissible in evidence. What is of utmost importance is the preservation of the integrity and evidentiary value of the seized items, as the same would be utilized in the determination of the guilt or innocence of the accused. [People vs Gerry Yable y Usman GR No. 200358 April 7, 2014]

2013 JURISPRUDENCE:

Chain of Custody

Corollary, the fact that the police marked the plastic sachets at the Police Station, and not at the place of
seizure, did not also compromise the integrity of the seized evidence. Jurisprudence holds that the phrase "marking upon immediate confiscation" contemplates even marking at the nearest Police Station or Office of the apprehending team. Significantly, PINSP Pascua identified the plastic sachets in Court to be the same items he marked at the Police Station. [People vs Benedicto Marquez GR No.197207 March 13, 2013]

OTHER JURISPRUDENCE:

On Coordination with PDEA

In the first place, coordination with the PDEA is not an indispensable requirement before Police authorities may carry out a buy-bust operation. While it is true that Section 86 of Republic Act No. 9165 requires the National Bureau of Investigation, PNP and the Bureau of Customs to maintain "close coordination with the PDEA on all drug related matters," the provision does not, by so saying, make PDEA's participation a condition sine qua non for every buy-bust operation. After all, a buy-bust is just a form of an in flagrante arrest sanctioned by Section 5, Rule 113 of the Rules of the Court, which Police authorities may rightfully resort to in apprehending violators of Republic Act No. 9165 in support of the PDEA. A buy-bust operation is not invalidated by mere non-coordination with the PDEA. [People vs JOEL ROA, GR No. 186134 May 6, 2010]

ON LAW ENFORCEMENT

Presumption of regularity in the performance of duty

In light of the clear and convincing evidence of the Prosecution, we find no reason to deviate from the findings of the Trial Court and the Appellate Court. More so, appellant failed to present evidence that Barbosa and the other members of the team had any ill motive to falsely accuse her of a serious crime. Absent of any proof of such motive, the presumption of regularity in the performance of official duty as well as the findings
of the Trial Court on the credibility of witnesses shall prevail over appellant’s self-serving and uncorroborated defenses. **People vs. Dumangay (Convicted) (GR No. 173483 Sept 28, 2008)**

In the instant case, appellant miserably failed to show that the members of the buy-bust team were impelled by any improper motive or that they did not properly perform their duty. This being the case, we uphold the presumption of regularity in the performance of official duties. The law disputably presumes that official duty has been regularly performed. The presumption was not overcome, there being no evidence showing that PO1 Cosme, PO1 Llanderal and the rest of the team were impelled by improper motive. In fact, appellant admitted that prior to the incident; she did not know PO1 Cosme, PO1 Llanderal and the rest of the buy-bust team. **People vs. Marlyn Naquita (Convicted) (GR No. 180511 July 28, 2008)**

**ON WARRANTLESS ARREST AND SEIZURE**

**Warrantless seizure, effect, when warrantless arrest is illegal though not questioned.**

At the outset, we observe that nowhere in the records can we find any objection by petitioner to the irregularity of his arrest before his arraignment. Considering this and his active participation in the trial of the case, jurisprudence dictates that petitioner is deemed to have submitted to the jurisdiction of the Trial Court, thereby curing any defect in his arrest. The legality of an arrest affects only the jurisdiction of the Court over his person. Petitioner’s warrantless arrest therefore cannot, in itself, be the basis of his acquittal.

However, to determine the admissibility of the seized drugs in evidence, it is indispensable to ascertain whether or not the search which yielded the alleged contraband was lawful. The search, conducted as it was without a warrant, is justified only if it were incidental to a lawful arrest. Evaluating the evidence on record in its totality, as earlier intimated, the reasonable conclusion is that the arrest of the petitioner without a warrant is not lawful as well. **People vs Arsenio Valdez (GR No. 170180 November 23, 2007)**
ON BUY-BUST

Instigation and Entrapment

**Instigation** is the means by which the accused is lured into the commission of the offense charged in order to prosecute him. On the other hand, **entrapment** is the employment of such ways and means for the purpose of trapping or capturing a lawbreaker. Thus, in instigation, Officers of the law or their agents incite, induce, instigate or lure an accused into committing an offense which he or she would otherwise not commit and has no intention of committing. But in entrapment, the criminal intent or design to commit the offense charged originates in the mind of the accused, and law enforcement officials merely facilitate the apprehension of the criminal by employing ruses and schemes; thus, the accused cannot justify his or her conduct. In instigation, where law enforcers act as co-principals, the accused will have to be acquitted. But entrapment cannot bar prosecution and conviction. As has been said, instigation is a “trap for the unwary innocent,” while entrapment is a “trap for the unwary criminal.” **People vs. Delia Bayani (GR. No. 179150 June 17, 2008)**

In entrapment, the entrapper resorts to ways and means to trap and capture a lawbreaker while executing his criminal plan. In instigation, the instigator practically induces the would-be-defendant into committing the offense, and himself becomes a co-principal. In entrapment, the means originates from the mind of the criminal. The idea and the resolve to commit the crime come from him. In instigation, the law enforcer conceives the commission of the crime and suggests to the accused who adopts the idea and carries it into execution. The legal effects of entrapment do not exempt the criminal from liability. Instigation does. **People vs. Rafael Sta Maria (GR No. 171019 Feb 23, 2007)**

The demarcation line distinguishing “instigation” from “entrapment” is clearly drawn. In the case of People v. Quintana, the Court explained the distinction between the two: In instigation, the instigator practically induces the accused
into the commission of the offense and himself becomes a co-principal; in entrapment, ways and means are resorted to for the purpose of trapping and capturing the law breaker in the execution of his criminal plan.

Instigation and inducement must be distinguished from entrapment. The general rule is that instigation and inducement to commit a crime, for the purpose of filing criminal charges, is to be condemned as immoral, while entrapment, which is the employment of means and ways for the purpose of trapping and capturing the law breaker, is sanctioned and permissible. And the reason is obvious. Under the first instance, no crime has been committed, and to induce one to commit it makes the instigator a co-criminal. Under the last instance, the crime has already been committed and all that is done is to entrap and capture the law breaker. In the case at bar, the Court finds appellant’s claim of instigation to be baseless. **People vs. Ramon Quiaoit (GR No. 175222 Jul 27, 2007)**

**Transport of Illegal Drugs (Section 5 Transport)**

“Transport” as used under the Dangerous Drugs Act is defined to mean: “to carry or convey from one place to another.” The essential element of the charge is the movement of the dangerous drugs from one place to another. In the present case, although petitioner and his co-accused were arrested inside a car, the car was not in transit when they were accosted. From the facts found by the RTC, that car was parked and stationary. The prosecution failed to show that any distance was travelled by petitioner with the drugs in his possession. The conclusion that petitioner transported the drugs merely because he was in a motor vehicle when he was accosted with the drugs has no basis and is mere speculation. The rule is clear that the guilt of the accused must be proven with moral certainty. All doubts should be resolved in favor of the accused. It is the responsibility of the prosecution to prove the element of transport of dangerous drugs, namely, that transportation had
taken place, or that the accused had moved the drugs some distance. [People vs MICHAEL SAN JUAN y CRUZ, GR No. 177191 May 30, 2011]

On the absence of the marked-money

As for appellant’s argument that no consummated sale of drugs occurred since no money changed hands during the buy-bust operation, the same fails. The absence of marked money does not create a hiatus in the prosecution evidence as long as the drug subject of the illegal transaction (Exhibit “K”) was presented at the trial court. There is no rule of law which requires that in buy-bust operations there must be a simultaneous exchange of the marked money and the prohibited drug between the poseur-buyer and the pusher. [People vs DANIEL SIBUNGA y AGTOCA, GR No. 179475, September 25, 2009]

ON ILLEGAL POSSESSION

Constructive Possession

The Prosecution failed to establish possession of the shabu, whether in its actual or constructive sense, on the part of accused-appellant. The two buy-bust team members corroborated each other’s testimonies on how they saw Boy Bicol talking to accused-appellant by a table inside the nipa hut. That table, they testified, was the same table where they saw the shabu once inside the nipa hut. This fact was used by the prosecution to show that accused-appellant exercised dominion and control over the shabu on the table. We, however, find this too broad an application of the concept of constructive possession. People vs. Carlos Dela Cruz (GR No. 182348 Nov 20 2008)

In People vs Torres, we held there was constructive possession of prohibited drugs even when the accused was not home when the prohibited drugs were found in the master’s bedroom of his house.
In *People vs Tira*, we sustained the conviction of the accused husband and wife for illegal possession of dangerous drugs. Their residence was searched and their bed was found to be concealing illegal drugs underneath. We held that the wife cannot feign ignorance of the drugs’ existence as she had full access to the room, including the space under the bed.

In *People vs Abuan*, we affirmed the finding that the accused was in constructive possession of prohibited drugs which had been found in the drawer located in her bedroom.

In all these cases, the accused was held to be in constructive possession of illegal drugs since they were shown to enjoy dominion and control over the premises where these drugs were found.

**ON ILLEGAL SALE**

**Proof on how the accused and informant met not necessary**

Nor is it necessary to establish how the accused-appellant and the informant met, or how the Police Officer was introduced to the accused-appellant. Drug dealers are known to sell their goods even to strangers. They ply their wares [wherever] prospective customers are found. They have indeed become increasingly daring and openly defiant of the law. *People vs. Sanny Cabacaba* (GR No. 171310 July 9, 2008)

**THE CUSTODY OF SEIZED DRUGS**

**Non-Compliance with Sec 21, justifiable grounds and Failure to conduct inventory and take photograph**

We recognize that strict compliance with the requirements of Section 21 of R.A. No. 9165 may not always be possible under field conditions; the Police operates under varied conditions, many of them far from ideal, and cannot at all
times attend to all the niceties of the procedures in the handling of confiscated evidence. The participation of a representative from the DOJ, the Media or an elected Official alone can be problematic. For this reason, the last sentence of the implementing rules provides that “non-compliance with these requirements under justifiable grounds, as long as the integrity and the evidentiary value of the seized items are properly preserved by the apprehending officer/team, shall not render void and invalid such seizures of and custody over said items.” Thus, non-compliance with the strict directive of Section 21 of R.A. No. 9165 is not necessarily fatal to the Prosecution’s case; Police procedures in the handling of confiscated evidence may still have some lapses, as in the present case. These lapses, however, must be recognized and explained in terms of their justifiable grounds and the integrity and evidentiary value of the evidence seized must be shown to have been preserved. (People vs. Salvador Sanchez (GR No. 175832 October 15, 2008)

Failure to conduct inventory and take photograph

Other than the markings that SPO2 Sevilla alleged, it is clear that no physical inventory and no photograph of the seized items were taken in the presence of the accused or his counsel, a representative from the Media and the Department of Justice (DOJ), and an elective Official. Based on the above testimony, SPO2 Sevilla - the Prosecution’s lone witness - also did not mark the plastic sachet of shabu immediately upon seizure; it was only marked upon arrival at the Police Station. Thus, other than the stipulation regarding the handling and results of the specimen at the forensic laboratory, SPO2 Sevilla’s testimony and the evidence he identified constitute the totality of the evidence for the prosecution on the handling of the allegedly seized items. (People vs. Salvador Sanchez (GR No. 175832 October 15, 2008)
On the Markings of Evidence

Consistency with the “chain of custody” rule requires that the “marking” of the seized items – to truly ensure that they are the same items that enter the chain and are eventually the ones offered in evidence – should be done (1) In the presence of the apprehended violator. (2) Immediately upon confiscation. [People vs Sanchez, GR No. 175832, October 15, 2008]

Non compliance of Sec 21 is not fatal

Non-compliance by the apprehending/buy-bust team with Section 21 is not fatal as long as there is justifiable ground, therefore, and as long as the integrity and the evidentiary value of the confiscated/seized items, are properly preserved by the apprehending Officer/Team. Its non-compliance will not render an accused’s arrest illegal or the items seized/confiscated from him inadmissible. What is of utmost importance is the preservation of the integrity and the evidentiary value of the seized items, as the same would be utilized in the determination of the guilt or innocence of the accused. In the case under consideration, we find that the integrity and the evidentiary value of the items involved were safeguarded. The seized/confiscated items were immediately marked for proper identification. Thereafter, they were forwarded to the Crime Laboratory for examination.

Though the justifiable ground for non-compliance with Section 21 was not expressly stated by the arresting/buy-bust team, this does not necessarily mean that appellant’s arrest was illegal or the items seized/confiscated inadmissible. In the case at bar, as in Sta. Maria, the justifiable ground will remain unknown because appellant did not question during the trial the custody and disposition of the items taken from him. Assuming that Sections 21 and 86 were indeed breached, appellant should have raised these issues before the Trial Court. This, he did not do. Never did he question the custody and disposition of the items that were supposedly taken from him. It was only on appeal before the Court of Appeals that he raised them. This,
On the Chain of Custody of Evidence

While the chain of custody has been a critical issue leading to acquittals in drug cases, we have nevertheless held that non-compliance with the prescribed procedures does not necessarily result in the conclusion that the identity of the seized drugs has been compromised so that an acquittal should follow. The last paragraph of Section 21(a), Article II of the IRR of RA No. 9165 provides a saving mechanism to ensure that not every case of non-compliance will irretrievably prejudice the prosecution’s case. To warrant application of this saving mechanism, however, the prosecution must recognize and explain the lapse or lapses in the prescribed procedures. The prosecution must likewise demonstrate that the integrity and evidentiary value of the evidence seized have been preserved. In the present case, the prosecution miserably failed to adduce evidence establishing the chain of custody of the seized illegal drugs, and failed as well to establish compliance with the saving mechanism discussed above. [People vs EDGAR DENOMAN y ACURDA, GR No. 171732, August 14, 2009]

ON WITNESS

Inconsistencies in the testimony, effect

Inconsistencies on the existence of a pre-arranged signal and the markings on the buy-bust money pertain to peripheral matters and do not refer to the actual buy-bust operation itself — that crucial moment when the appellant was caught selling shabu — which might warrant a reversal of appellant’s conviction. Further, the Court sustains the Trial Court in giving credence to the testimonies of the Prosecution’s witnesses because the Trial Court is in a better position to evaluate the witnesses’ deportment during the trial. Besides, the employment of a pre-arranged signal, or the lack of it, is not indispensable in a buy-bust operation. People vs. Larry Lopez (GR No. 181441 Nov 14, 2008)
Sufficiency of a single witness, requisites

To sustain a conviction under a single Prosecution witness, such testimony needs only to establish sufficiently: 1) the identity of the buyer, seller, object and consideration; and 2) the delivery of the thing sold and the payment thereof. Indeed, what is material is proof that the transaction or sale actually took place, coupled with the presentation in court of the substance seized as evidence. In this case, PO1 Rana, being the poseur-buyer, was the most competent person to testify on the fact of sale and he did so to the satisfaction of both the Trial Court and the Appellate Court. People vs. Roger Villanueva GR No 172116 Oct 30, 2006
APPENDIX D

MOA BETWEEN PDEA AND PNP

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement (MOA) is executed on this 10th day of March 2014, at Quezon City by and between:

The PHILIPPINE DRUG ENFORCEMENT AGENCY, a governmental entity duly organized and existing under Philippine laws, with principal office address at PDEA Building, NIA Northside Road, National Government Center, Barangay Pinyahan, Quezon City, represented by its Director General, UNDERSECRETARY ARTURO G. CACDAC, JR CEO VI, hereinafter referred to as “PDEA”;

And

The PHILIPPINE NATIONAL POLICE, a governmental entity duly organized and existing under Philippine laws, with principal office address at Camp Crame, Quezon City, represented by its Chief, POLICE DIRECTOR GENERAL ALAN LM PURISIMA, hereinafter referred to as “PNP”.
WITNESSETH:

WHEREAS, both parties have been created, established, and existing under laws of the Republic of the Philippines for distinct purposes and with common interests, concerns and goals;

WHEREAS, Republic Act No. 9165 or “The Comprehensive Dangerous Drugs Act of 2002” created PDEA for the efficient and effective enforcement of said act and to be the lead agency in the government’s anti-drug campaign;

WHEREAS, Republic Act 6975 or the “Department of the Interior and Local Government Act of 1990” tasked the PNP to enforce law, prevent and control crimes, maintain peace and order and ensure public safety and internal security;

WHEREAS, the PNP under Section 86 of RA 9165 is still authorized to conduct anti-drug operation in support to PDEA upon proper coordination with the latter;

WHEREAS, the President issued Executive Order No. 218 dated June 18, 2003, to strengthen the support mechanism to PDEA authorizing the creation of anti-drug task forces from the PNP, NBI and BOC where the PDEA shall exercise operational supervision under drug enforcement units of other law enforcement agencies;

WHEREAS, the PDEA and the PNP, under Section 7 of DDB Board Regulation No. 2, Series of 2007, have both significant role in the conduct of Barangay Drug-Clearing Operations;

WHEREAS, the PNP, as the primary law enforcement agency of the country, aware of the social costs of the
continuing drug problem which is highly correlated to criminality and lawlessness, continues to support the government’s drive against illegal drugs and accepts its mandate under RA 9165 as significant partner of PDEA in enforcing the provision of this Act;

WHEREAS, the PDEA is authorized under Section 84 (q) of RA 9165 to enlist the assistance of any department, bureau, office, agency, or instrumentality of the government in the anti-illegal drugs drive, which may include the use of their respective personnel facilities, and resources for a more efficient execution of its functions;

WHEREAS, to successfully implement the provisions provided for in RA 9165 and to effectively synchronize all efforts in the anti-drug campaign towards the attainment of a drug-free Philippines, there is a need for cooperation and close coordination among concerned agencies;

NOW THEREFORE, both parties have agreed to stipulate the following:

Section 1. General Provisions:

1. The PDEA and PNP shall cooperate and coordinate their utmost efforts to ensure organized and systematic anti-drug operations. The parties shall strictly adhere to the provisions of Section 86, Article IX of RA 9165.

2. To ensure effective implementation of the anti-drug law and successful prosecution of drug cases, the PDEA and the PNP shall strictly adhere to their respective Operational Guidelines and Procedure and Manual on Anti-Illlegal Drugs Operations and Investigation, issued for the purpose in accordance with the provision of RA 9165.
3. The PNP shall, as far as practicable, coordinate with PDEA prior to anti-drug operations.

Section 2. Specific Roles. – The Parties shall have the following specific roles.

1. The **Philippine Drug Enforcement Agency** shall:

   a. Establish a comprehensive information collection plan that shall enable the PDEA to obtain information on illegal drug activities from sources at all levels and make it available to the PNP when needed;

   b. Initiate a joint intelligence validation workshop on a semi-annual basis at the National level and quarterly bases at the Regional level or more frequently as the need arises;

   c. Establish practical systems and mechanisms to assist PNP leadership in monitoring anti-drug operations and review the progress undertaken by PNP units;

   d. Assist the monitoring of illegal drug cases initiated by the PNP through PDEA case monitors;

   e. Enhance the implementation of the National Drug Intelligence System as the repository of all drug related information to promote sharing of information with the PNP;

   f. When requested, assist the PNP in processing and analyzing information on illegal drug activities through intelligence sharing and conduct of joint investigation on suspected personalities;
g. When requested, assist/augment the PNP in anti-drug operations through utilization of PDEA personnel, informants, and other resources;

h. Assist the PNP in counter-intelligence and investigation especially with regard to any public officer/government personnel suspected/charged of involvement in illegal drug activities;

i. Supervise the implementation of DDB Board Regulation No. 2 series of 2007 dated 06 June 2007 providing for Revised Guidelines in the Conduct of Barangay Clearing Operations;

j. Assist in educating PNP personnel on the provisions of Republic Act 9165 and orient them on the system of operations of PDEA;

k. Allocate slots for the PNP personnel in training on Narcotics and Illegal drugs courses offered or conducted by PDEA Academy;

l. Include in its priority programs the immediate establishment of forensic laboratory in every province and city. Centralize the examination and custody of all evidence confiscated by PDEA and PNP, and other law enforcement agencies pursuant to Section 21, RA 9165 except in areas where there are no PDEA laboratories and evidence storage facilities;

m. When requested and necessary, assist the PNP forensic chemist in the analysis of dangerous drugs and CPECs;
n. Property coordinate with the PNP office for the use of its K-9 facility, when needed;

o. Provide its own metering system for water and electrical consumption and shoulder the fixed and maintenance expenditures incurred during the temporary use of PNP property or facilities;

p. Furnish the PNP, through CLG, on quarterly basis, tenprints of arrested drug suspects for inclusion in the Automated Fingerprint Identification System (AFIS) and shall identify and direct personnel who will undergo training in the proper collection of tenprints to be conducted by CLG;

q. Furnish the PNP, through the Directorate for Investigation and Detective Management (DIDM), mugshots of arrested drug suspects for encoding in the PNP e-rouges database system;

r. Formulate a Communication Plan geared towards generating support to “Operation Private Eye” from the stakeholders; and

s. Extend other operational and administrative assistance to the PNP as needed arises.

2. The PHILIPPINE NATIONAL POLICE shall:

a. Assist the PDEA through the PNP Directorate for Intelligence (DI) in collecting and processing information on illegal drug activities, personalities and drug-affected barangays and in conducting validation workshops at the National, Regional,
and Provincial/City on semi-annual basis at the National level and quarterly basis at the Regional level subject to existing internal rules and regulations of both parties;

b. Through the Directorate for Operations (DO), ensure compliance with the requirements in reporting and monitoring all PNP anti-drug operations following the PDEA established reporting and monitoring systems and mechanism;

c. Ensure the attendance of police witnesses before the courts and other judicial bodies in relation to drug cases in accordance with DDB Regulation No. 6, s. 2008, entitled: “Guidelines on the Transfer/Reassignment of Police Witnesses”, and in addition, through the Directorate for Personnel and Records Management shall submit a report on a quarterly basis to PDEA Legal and Prosecution Service, personnel movement of said police officers including but not limited to detail, reassignment, resignation, dismissal and retirement. The report shall likewise include the new place of assignment or detail of the police witness or, in cases of resignation, dismissal or detail, the last known address;

d. Allocate maximum of three (3) slots for PDEA personnel in the intelligence training regularly conducted by PNP Intelligence Training Group, Directorate for Intelligence, provided that the per capita and other incidental costs for the training shall be borne by PDEA;
e. Allocate maximum of three (3) slots for PDEA personnel in investigation courses regularly conducted by the School for Investigation and Detective Development, Directorate for Investigation and Detective Management (DIDM), provided that the per capita and other incidental costs for the training shall be borne by PDEA;

f. Assist in the custody of individual/s arrested by PDEA for violation of the provisions of RA 9165;

g. Ensure the immediate turn-over of evidence for destruction upon order of the concerned courts;

h. Support the Anti-Drug Abuse Council (ADAC) through the Chiefs of Police and the Anti-Illlegal Drug Units in the clearing of drug affected barangays by focusing on the neutralization of street level drug personalities, but may also act on High Value Targets in coordination with PDEA;

i. Collaborate with PDEA through the Directorate for Police Community Relations (DPCR) for the adoption of a communication plan that will encourage stakeholder’s participation and support in anti-illegal drugs advocacy and information gathering thru “Operation Private Eye”;

j. Authorize the PDEA to continue occupying facilities of the PNP thru usufruct agreement for a period of five (5) years and renewable upon mutual consent of both parties;
k. Include in the PNP Automated Fingerprint identification System (AFIS) the tenprints of arrested drugs suspects on PDEA – initiated operations, and for this purpose, train PDEA personnel in the proper collection of tenprints with the latter to bear the training and other incidental costs;

l. Include in the PNP e-rouges database system mugshots of arrested drug suspects on PDEA-initiated operations;

m. Assists the PDEA 24/7 Test Hotlines through the PNP hotline number 09178475757 (I-Report mo kay Tsip) by taking appropriate action on forwarded text messages of concerned citizen on drug activities; and

n. Extend other operational and administrative assistance to the PDEA as the need arises.

Section 3. Coordination and Cooperation. Both parties shall designate focal persons in the national and regional level, who shall meet regularly to improve cooperation and facilitate coordination on drug-related concerns.

Section 4. Terms of Agreement. This Agreement shall be in full force and effect between the parties from the date of signing hereof unless terminated for just cause and with prior written notice to the other party. Any amendment shall be in writing and shall be done by the mutual consent of both parties. The termination of this Agreement shall not adversely affect any valid or subsisting undertaking concluded or entered into pursuant to the same.
IN WITNESS WHEREOF, the Parties signed this Memorandum of Agreement on this ____ day of ______ in Quezon City, Philippines.
Acknowledgement

Republic of the Philippines
Quezon City, Metro Manila) s.s.

BEFORE ME, a Notary Public for and in Quezon City, on this ____ day of
__________________ 2014 personally appeared

Name: _____________________________ CTC No.: _____________________________

Issued at/on: _____________________________

Philippine Drug Enforcement Agency
By: _____________________________
UNDERSECRETARY ARTURO G CACDAC JR
Director General, PDEA

14032196 ____________________________
MAR 1, 2014

Philippine National Police
By: _____________________________
POLICE DIRECTOR GENERAL ALAN LM PURISIMA
Chief, Philippine National Police

N102249 ____________________________
MAR 1, 2014

known to me and to me known to be the same persons who executed the foregoing
Memorandum of Agreement and acknowledged to me that the same is their free and
voluntary deed.

This instrument consists of seven (7) pages including this page herein this
acknowledgement is written, and the parties and their instrumental witnesses have
signed at the foot of the instrument and on the left margin of all pages.

WITNESS MY HAND AND SEAL on the date and place first written above.

NOTARY PUBLIC

Doc. No. _____________________________
Page No. _____________________________
Book No. _____________________________
Series of 2014.
APPENDIX E

DANGEROUS DRUGS BOARD REGULATION
NO. 2 SERIES OF 2002

Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD
3rd Floor DDB-PDEA Bldg., National Government

BOARD REGULATION No. 2
Series of 2002

SUBJECT: CONDUCT OF CONTROLLED DELIVERY OPERATIONS

Pursuant to Sections 81 (b) and 81(s) of Article IX, the Policy and Guidelines for the conduct of controlled delivery operations are hereby promulgated:

ARTICLE I

Definition of Terms

Section 1. Definitions

As used in this Regulation, the following terms shall mean:

a. Board - Dangerous Drugs Board;

b. Controlled Delivery - The investigative technique of allowing an unlawful or suspect consignment of any dangerous drug and/or controlled precursor and essential chemical, equipment or paraphernalia, or property believed to be derived directly or indirectly from any offense, to pass into, through or out of the country under supervision of an authorized officer, with a view...
to gathering evidence to identify any person involved in an dangerous drug-related offense or to facilitate prosecution of that offense;

c. Controlled Precursors and Essential Chemicals - Include those listed in Tables I and II of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the attached annex of, and an integral part of RA 9165;

d. Dangerous Drugs - Include those listed in the Schedules annexed to the 1961 UN Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 UN Convention on Psychotropic Substances as enumerated in the attached annex of, and an integral part of RA 9165;

e. Illegal Trafficking - The illegal cultivation, culture, delivery, administration, dispensation, manufacture, sale, trading, transportation, distribution, importation, exportation, and possession of any dangerous drug and/or controlled precursor and essential chemical;

f. Laboratory Equipment - The paraphernalia, apparatus, materials or appliances when used, intended for use, or designed for use in the manufacture of any dangerous drug and/or controlled precursor and essential chemical, such as reaction vessel, preparative/purifying equipment, fermentors, separatory funnel, flask, heating mantle, gas generator, or their substitute;

g. LEO/s - Law Enforcement Officer/s;

h. PDEA - Philippine Drug Enforcement Agency
ARTICLE II

Objectives, Requisites, and Scope of Authorization for Control Delivery Operations

Section 2. Objectives of Controlled Delivery

In general, the purpose of using controlled delivery is to delay seizing the dangerous drugs or controlled precursors and essential chemicals or substances substituted for them or the property derived from an offense and to suspend detaining the courier(s) in order to:

a. Identify, arrest, and convict offenders;

b. Disrupt and dismantle criminal organizations engaged in smuggling drugs or other contraband;

c. Broaden the scope of investigation, identify additional and higher level offenders and obtain further evidence;

d. Establish evidentiary proof that the suspects employed by these organizations to transport drugs and other contraband were knowingly in possession of illegal substances;

e. Identify the offender(s) assets for consideration in asset forfeiture proceedings.

Section 3. Authority to Approve Controlled Delivery, Requisites, and Scope of authorization.

a. Prior authorization is required for the conduct of controlled delivery operations in the Philippines;

b. The Director General of PDEA may approve a request in writing by PDEA units, or a domestic or foreign counterpart enforcement agency for controlled delivery to take place in transit or in any way involving the Philippines for a specific purpose and specified period.
c. The Director General of PDEA may be required the following information from the requesting Party:

1. The reason or justification for the operation;
2. Type and quantity of the drug being transported;
3. The planned point of entry and – if applicable – exit (transit) in the Philippine territory;
4. The means of transport to be used and the intended route;
5. The suspects (identity, nationality, whereabouts, accomplices, home address, etc.);
6. The name of the organization, which provided the information and responsible for the operation in the requesting country and means of contacting that agency;
7. Details of law enforcement agencies taking part in the operation (police, customs, coast guards, etc.);
8. Details of special techniques to be used (undercover agents, informers, special surveillance equipment, etc.);
9. Other information as may be required from time to time.

d. The Director General may refuse to allow a controlled delivery operation to be carried out for some or all of the following reasons:

1. Inadequate information concerning the consignment or the transporter;
2. The other transit countries do not give their consent;
3. Risk of losing the suspects and the drugs;
4. Lack of resources;

5. Final destination is unknown or uncertain;

6. No certainty of prosecution being brought;

7. Lack of material time to act on the request due to short notice;

8. Scale of the traffic do not justify the cost of operation;

9. Quantity of dangerous drugs involved in the shipment is small and does not meet prosecutorial or the receiving jurisdiction’s threshold levels: Provided that a controlled delivery is necessary to develop a more significant investigation based on any one of the following:

   • Prior criminal history associated with recipient of parcel.
   
   • Multiple, similar prior shipments to the same person or location.
   
   • An agreement by all parties that a controlled delivery is necessary.

10. Others as may be prescribed from time to time.

e. The Director General of PDEA shall inform the Board of every controlled delivery operation that he or she approved.

Section 4. Management Concerns: Planning and Coordination

The PDEA, as lead agency, and other Law Enforcement Agencies concerned should:

a. Weigh the costs/benefits before committing to a controlled delivery operation;
b. Establish a realistic degree of manpower involvement, support equipment and funds allocation at the onset of the operation;

c. Make an Operation Plan and briefing sheet detailing each law enforcement agent or officer’s assignment;

d. Enter into an inter-agency agreement/understanding on the conduct of joint and/or coordinated investigations including controlled delivery operations.

The PDEA shall promulgate the Standard Operating Procedures for the operational conduct of controlled delivery operations. Such SOP should provide operational guide to planning and management of controlled delivery operations, including, but not limited to, the requirements for personnel, equipment and coordination as well as initiation of controlled delivery operations, organization or controlled delivery, conduct of investigation, evidence handling, action to be taken when dangerous drugs or controlled precursor and essential chemicals subject of controlled delivery is lost, prescribed reporting formats.

Section 5. Participation of Foreign Law Enforcement Agencies

In the conduct of controlled delivery operations, the Director General of PDEA:

a. May allow the foreign law enforcement agencies to take part under the following conditions:

1. Prior authorization has been requested and obtained from Director General of PDEA;

2. The foreign officers agree to act under the authority of the Director General of PDEA.

b. May accept technical resources such as, but not limited to, video and audio tracking and monitoring devices, subject to authorization of their use by proper jurisdiction.
Section 6. Changes in Operation Plan and Newly Developed Information

If a controlled delivery does not proceed on schedule due to unexpected delay, loss of the drugs or other contraband cargo, change in location or route of delivery, or change in intended recipient, the responsible supervisory PDEA officer will relay this information and make appropriate recommendations to the Director General of PDEA and his counterpart(s) in the transited or receiving jurisdictions, as soon as possible. This notification process also applies to newly developed information unknown at the initiation of the operation.

ARTICLE III

Evidence Handling

Section 7. Evidence Handling

The following should be considered in the light of the type of controlled delivery, the potential risks to officer safety, and the dictates of operational integrity:

a. Identify, process, and secure all evidence relating to the seizure, as practical prior to conducting the controlled delivery.

b. Photograph, videotape, photocopy the evidence both upon discovery and after removal from the place of concealment;

c. Mark the evidence and the container for future identification, if practicable;

d. Field test any narcotic evidence;

e. Obtain laboratory analysis for the case file after completion of a controlled delivery;
f. Whenever practical, remove all but the prescribed amount that can be retained pursuant Board Regulation No. 1 s – 2002 and replace with inert substance to prevent destruction of evidence – and in accordance with prosecutorial guidelines, law and policy;

g. For prosecutorial considerations, co-ordinate all decisions regarding the amount of contraband utilized in a controlled delivery with the appropriate prosecutorial authority;

h. In the case of the contraband discovered in the course of inspection or other law enforcement activity, which is allowed to proceed to its intended destination – while under the surveillance of law enforcement officers or agents, disable any potential counter – surveillance devices or weapons to prevent any potential use by the violator;

i. Where tracking device is available and allowed to be used by proper jurisdiction, install the tracking device on or inside the evidence;

j. Ensure that special measures are undertaken to assure connection with the suspects at the time the controlled delivery is terminated.

k. In case of a controlled delivery of large amounts of currency, utilize currency/ monetary instrument procedures for accountability purposes;

l. Obtain background information on any corporations involved and personal information on the suspected driver;

m. When available and needed, arrange for aerial surveillance.
Section 8. Accountability for Lost Contraband

If contraband is lost during enforcement operations, the following steps must be taken:

a. Immediately notify the Director General of PDEA and Heads of appropriate Law Enforcement Agency.

b. Within 24 hours or as soon as practicable, the PDEA as lead agency shall conduct joint investigation with the other Law Enforcement Agency concerned and make appropriate recommendations. The Director General of PDEA shall inform the Board in writing about the loss and the action taken thereof.

Section 9. Completion of Controlled Delivery Operations

When the operation is completed and resulted in the seizure of dangerous drugs or controlled precursor and essential chemicals or laboratory equipment, arrests of offenders and subsequent filing of case in the proper jurisdiction, the PDEA officer in charge of the operation shall ensure that the relevant provision of the DDB Regulation No. 1-2002 : “Guidelines on Custody and Disposal of Seized Dangerous Drugs, Controlled Precursors and Essential Chemical Laboratory Equipment,” pertaining to inventory, reporting and laboratory analysis are complied with as a matter of course. Further, the Director General of PDEA shall render a report of the completed controlled delivery operation to the Board.

ARTICLE IV

Effectivity

Section 10. Effectivity

This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and upon registration with the Office of the National Administrative Registry of the UP Law Center.
ADOPTED and APPROVED this 22nd of November, 2002 at Quezon City.

(Original Signed) JAIME M. VIBAR
   (Representing the President, Integrated Bar of the Philippines)
   Regular Member

(Original Signed) MIGUEL A. PEREZ-RUBIO
   (President, Katotohanan Foundation, NGO)
   Regular Member

(Original Signed) MA. MERCIDITAS N. GUTIERREZ
   (Undersecretary, Representing the Secretary of Justice)
   Ex-Officio Member

(Original Signed) ANTONIO S. LOPEZ
   (Undersecretary, Representing the Secretary of Health)
   Ex-Officio Member

ANTONIO C. SANTOS
   (undersecretary, Representing the Secretary of National Defense)
   Ex-Officio Member

JOSE ISIDRO N. CAMACHO
   (Secretary of Finance)
   Ex-Officio Member

(Original Signed) MARIUS P. CORPUS
   (Undersecretary, Representing the Secretary of Defense)
   Ex-Officio Member

(Original Signed) LOURDES G. BALANON
   (Undersecretary, Representing the Secretary of Social Welfare and Development)
   Ex-Officio Member

(Original Signed) FRANKLIN M. EDBALIN
   (Understanding, Representing the Secretary of Foreign Affairs)
   Ex-Officio Member

(Original Signed) DIR. THELMA G. SANTOS
   (Representing the Secretary of Education)
   Ex-Officio Member

(Original Signed) ISABEL INLAYO
   (Representing the Chair, Commission on Higher Education)
   Ex-Officio Member

(Original Signed) ANSELMO S. AVÉNIDO, JR.
   (Director-General, Philippine Drug Enforcement Agency)
   Ex-Officio Member
APPENDIX F

DANGEROUS DRUGS BOARD REGULATION
NO. 2 SERIES OF 2007

Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD
3rd Floor DDB-PDEA Bldg., National Government

BOARD REGULATION No. 2
Series of 2007

SUBJECT: PROVIDING FOR REVISED GUIDELINES IN THE
CONDUCT OF BARANGAY DRUG-CLEARING OPERATIONS

WHEREAS, to accelerate the drive against illegal
drugs in our communities and to promote participation of local
institutions in the suppression of drug trafficking and abuse,
Anti-Drug Abuse Councils were created in the province, city,
municipality and barangay;

WHEREAS, Dangerous Drugs Board Resolution No. 12, Series of 2004, which provides for guidelines on clearing
of drug-affected barangays, was issued empowering the
Barangay Anti-Drug Abuse Councils (BADAC) to implement
government strategic policies on drug prevention and control
given the political and police powers of the barangay to
administer the affairs of the community;

WHEREAS, there are shortcomings in the implementation
of the barangay drug-clearing operations due to the dynamics
of the drug problem, confused roles and responsibilities of
the agencies involved, inadequate resources, and lack of
management commitment;
WHEREAS, in order to make the clearing of drug-affected barangays more effective, there is need to craft a more practical set of guidelines, considering the number of agencies involved and the complexity of said operations;

WHEREFORE, be it RESOLVED, as it is hereby RESOLVED, to prescribe the following Revised Guidelines in the Conduct of Barangay Drug-Clearing Operations:

SECTION 1. Conduct of Barangay Drug-Clearing Operations – The clearing of drug-affected barangays shall be conducted in three (3) phases, namely: (a) Pre-Operation Phase; (b) Operation Phase; and (c) Post-Operation Phase.

A. Pre-Operation Phase – The activities to be undertaken under this stage shall commence with laying the groundwork and bases for effective and sustainable clearing operations against drug-affected barangays:

i. Activation of BADACs, BADAC Auxiliary Teams and SK in each barangay and definition and allocation of responsibilities for barangay drug-clearing activities. [OPR: CLGOO/MLGOO supported by Local PNP Unit]

ii. Capability enhancement of all stakeholders in barangay clearing operations through the conduct of basic drug prevention and control seminars, giving emphasis to collection and analysis of drug-related information and prevention education. [OPR: Local PNP Unit supported by Local Government Health Officer, Local Government Social Welfare Officer, DECS Representative, & SK Chairman]

iii. Organization of house clusters with designated cluster leader in each barangay. The cluster leader shall directly report to the BADAC Chairman all essential facts of any illegal drug activities within his/her cluster, such as name(s) of pushers/users, marijuana cultivation activities, clandestine laboratory operations and other drug-related data. [OPR: Local PNP Unit supported by Local Government Social Welfare Officer, Local Government Health Officer & BADAC]
iv. Submission by the BADAC Chairman of consolidated information report to CADAC/MADAC and local police unit concerned for the formulation and validation of watch list of drug personalities in every barangay. [OPR: BADAC Chairman supported by Local PNP Unit]

v. Determination of priority drug-affected barangays, taking into consideration the number of drug users/pushers and the gravity of the drug problem in the area, for the conduct of police operations and advocacy/preventive education seminar. [OPR: Local PNP Unit supported by Local Government Health Officer, Local Government Social Welfare Officer, DECS Representative & SK Chairman]

vi. Enactment of city or municipal ordinances creating Administrative Boards to hear and act on complaints regarding public nuisances pursuant to Section 52, Article VII of Republic Act 9165. [OPR: Local Sanggunian]

vii. Establishment of Rehabilitation Referral Desk in every barangay to endorse drug dependents to the duly authorized representative of the Dangerous Drugs Board pursuant to Article VIII of RA 9165 and pertinent issuances of the Board. [OPR: Local Government Health Officer and Local Government Social Welfare Officer in coordination with the Treatment and Rehabilitation Center (TRC) Administrator]

B. **Operation Phase** – The objective of the operation phase is the actual implementation drug supply and demand reduction strategies in priority drug-affected barangays.

i. Arrest of identified drug users/pushers through “citizen’s arrest”, buy-bust operation, and service of Search Warrants and Warrants of Arrest. [OPR: PDEA, Local PNP & City/Mun. Prosecutor]

ii. Administrative searches (regulatory inspections) of suspected drug dens, clandestine laboratories and chemical warehouses in coordination with City/Municipal
regulatory offices. [OPR: Local PNP Unit, Local Government Health Officer, Local BFP Unit & other concerned local offices]

iii. Filing of complaints for abatement of public nuisance with the City/Municipal Administrative Boards against places or premises used as sites of unlawful sale or delivery of dangerous drugs pursuant to Section 52, Article VII of RA 9165. [OPR: Local PNP Unit, Local Government Health Officer & Local BFP Unit]

iv. Conduct of advocacy and/or preventive education seminars, giving emphasis to the role of parents and children in the anti-drug campaign, ill-effects of drugs and consequences of drug abuse. This includes the conduct of lectures on the proper procedures on rehabilitation of drug dependents pursuant to RA 9165 and pertinent DDB Regulations. [OPR: Local Government Social Welfare Officer, Local Government Health Officer, DECS Representative, BADAC & Local PNP Unit]

v. Processing of application for voluntary or compulsory rehabilitation pursuant to pertinent DDB Regulations. [OPR: Local Government Health Officer & Local Government Social Welfare Officer]

C. Post - Operation Phase - This phase aims to maintain the “DRUG- CLEARED” status of the barangays after drug-clearing operations thru support activities to be funded from the general fund of the barangay.

i. Implementation of sustainable support projects such as sports, religious and social activities in the barangay. [OPR: SK Chairman supported by Church Group Representative, Local PNP Unit, Local Government Social Welfare Officer, Local Government Health Officer & Local Sanggunian]

ii. Conduct of regular lectures, programs or fora on the ill-effects of drug abuse and the implementation of measures towards drug abuse prevention and eradication.
SECTION 2. Classification of Barangays – The following classification of barangays shall be observed in determining the priority areas for clearing operations:

i. Drug-Unaffected Barangay – Has not ever been plagued or beset by any illegal drug activities.

ii. Drug-Affected Barangay – Existence of drug user, pusher, manufacturer, marijuana cultivator, or other drug personality, regardless of number.

iii. Drug-Cleared Barangay – Subjected to drug-clearing operations and declared free from any illegal drug activities pursuant to the parameters set forth in this Regulation.


a. Non-availability of drug supply;

b. Absence of drug transit/transshipment activity;

c. Absence of clandestine drug laboratory;

d. Absence of clandestine drug warehouse;

e. Absence of clandestine chemical warehouse;

f. Absence of marijuana cultivation site;

g. Absence of drug den, dive or resort;

h. Absence of drug pusher;
i. Absence of drug user/dependent;

j. Absence of protector/ coddler and financier;

k. Active involvement of barangay officials in anti-drug activities;

l. Active involvement of SK to help maintain the drug-liberated status of the barangay;

m. Existence of drug awareness, preventive education and information, and other related programs; and

n. Existence of voluntary and compulsory drug treatment & rehabilitation processing desk.

SECTION 4. Certifying the “DRUG-CLEARED” status of drug-affected barangay – After conducting drug-clearing operations in affected barangays, the chief of the local police unit shall issue a certification declaring the “DRUG-CLEARED” status of the affected barangay that has been subjected to drug-clearing operations. The certificate shall be attested by the Chairman, CADAC/MADAC.

SECTION 5. Responsibility of OPR & Support Unit/Agency – To ensure the realization of each phase of barangay drug-clearing operations, the OPR for each activity as specified under Section 1 (A), (B) & (C) of this Regulation shall initiate the performance of assigned task(s) while the support units/agencies shall give the assistance and cooperation required.

SECTION 6. Fund Support for Barangay Drug-Clearing Operations – The Local Government Units are enjoined to appropriate funds for barangay drug-clearing operations pursuant to Section 51, Article VII of RA 9165 and other existing laws, rules and regulations. The Local Police Unit concerned, being the lead unit in the implementation of
these guidelines, shall submit an annual budget proposal for barangay drug-clearing operations to the LCE to form part of the executive budget of the LGUs for appropriation by the Local Sanggunian.

SECTION 7. General Supervision of Barangay Drug-Clearing Operations – For purposes of effective monitoring of the implementation of barangay drug-clearing operations, the Director General, PDEA shall be the Officer Primarily Responsible (OPR) for providing general supervision over the implementation of this Regulation pursuant to Sections 83 and 84, RA 9165. The PNP shall designate a secretariat that will collate reports and maintain periodic statistics on barangay drug-clearing operations for evaluation/analysis and continuing enhancement of processes and procedures.

SECTION 8. Reporting System – The concerned police unit in the City/Municipality shall submit monthly reports on barangay drug-clearing operations to the PNP chain of command. The Chief, PNP, thru the PNP Anti-Illlegal Drugs Special Operations Task Force shall submit a consolidated report to the PDEA and DDB, copy furnished SILG.

SECTION 9. Amendments – These revised guidelines may be amended and/or modified from time to time by the Board as the need arises and upon prior consultation with the stakeholders of barangay drug-clearing operations.

SECTION 10. Repealing Clause – Board Resolution No. 12, Series of 2004, is hereby repealed and all other regulations, orders, memoranda and issuances, or parts thereof, which are inconsistent with this Regulation are hereby repealed, modified or amended accordingly.

SECTION 11. Effectivity – This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after its registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.
ADOPTED and APPROVED this 6th day of June, in the year of Our Lord, 2007 in Quezon City.

Secretary ANSELMO S. AVENIDO, JR.
Chairman, Dangerous Drugs Board

Attested:

Undersecretary EDGAR C. GALVANTE
Secretary of the Board
APPENDIX G

LOI 16/2012 KONTRA DROGA CHARLIE
(PLAN FOR A REVITALIZED CAMPAIGN AGAINST ILLEGAL DRUGS)

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
HEADQUARTERS PHILIPPINE NATIONAL POLICE
OFFICE OF THE CHIEF, PNP
Camp Crame Quezon City

SUBJECT : LOI 16/12 Kontra Droga Charlie
(Plan for a Revitalized Campaign Against Illegal Drugs)

TO : See Distribution

DATE : July 2, 2012

1. REFERENCES:

a. LOI Kontra Droga Bravo dated February 18, 2009;

b. RA 9165 (Comprehensive Dangerous Drugs Act of 2002);

c. EO. No. 218 (Strengthening the Support Mechanism to PDEA);

d. Manual on Anti-Illlegal Drugs Operations and Investigation;
e. NAPOLCOM MC No. 2009-001 re One-Strike Policy on Illegal Drugs;

f. PDEA and DDB Guidelines and Operational Policies;

g. CPNP’s Ten (10) Administrative and Operational Priorities;

h. 1st Meeting of the Justice Sector Coordinating Council on November 14, 2011;

i. US International Drug Control Strategy Report for 2012; and


2. PURPOSE AND OBJECTIVES:

This Letter of Instructions (LOI) sets forth the revision of the anti-illegal drug strategy of the Philippine National Police (PNP) to further strengthen its support mechanism to the Philippine Drug Enforcement Agency (PDEA) in the campaign against illegal drugs nationwide.

3. SITUATION:

The war on illegal drugs in the country is far from over. Illegal drug trafficking and abuse remain at alarming rates and continue to pose a major threat to national security. Findings at the forum conducted by the Justice Sector Coordinating Council led by the Supreme Court in 2011 reveal that 60% of criminal cases filed in various courts are drug-related.

International publications also highlight the rise of illegal drug trafficking in the Philippines by organized criminal groups. According to the US International Narcotics Control Board (INCB), the 2011 UN World Drug Report indicates that the country has the highest abuse rate of methamphetamine hydrochloride or shabu in East Asia which accounts for 2.1
percent of Filipinos aged 16 to 64. Philippine authorities are therefore urged to devise appropriate and effective strategies to address the threat posed by illegal drug abuse and trafficking and to strengthen regional cooperation to neutralize international drug groups responsible for the proliferation of illegal drugs.

As the primary law enforcement agency in the country, the PNP bears the brunt of public outrage and criticism regarding the drug problem. This situation is often highlighted because of the fact that anti-illegal drug operations cut across our inherent police functions and the absence of PDEA personnel to lead the anti-illegal drug operation at the community level.

The war on illegal drugs is exacerbated by the reported involvement of some PNP personnel in this illicit activity either as users, pushers, or coddlers. Likewise, the bungling of cases filed against drug personalities is also a cause for concern. The reality in the operational environment therefore calls for the PNP to align all available instruments to its campaign objective by revising and addressing the structural and institutional challenges in its anti-illegal drug strategy.

4. MISSION:

The PNP, concurrent with its mandate to support PDEA pursuant to RA No. 9165, shall intensify the aggressive conduct of anti-illegal drug operations.

5. EXECUTION:

a. Concept of Operation

To synchronize and strengthen the implementation of anti-illegal drug operations, the following operational concept shall be implemented:

1) Operationalization of the 5-point anti-illegal drug strategy;
2) Retention of the existing anti-illegal drug operating units at National, Regional, District, Provincial, City and Municipal/Station levels;

3) Adoption of the four-level approach in the conduct of anti-illegal drug operations;

4) Creation of an Oversight Committee on Illegal Drugs; and.

5) Creation of a Sub-Committee on Internal Cleansing.

The responsibility for overseeing the implementation of the 5-point anti-illegal drug strategy of the PNP, which comprises of Supply Reduction, Demand Reduction, Internal Cleansing, Legal Offensive and International Cooperation, shall be farmed out to concerned Directorates (Annex A).

The existing anti-illegal drug operating units at the national, regional, district, provincial, city and municipal/station levels shall be maintained. At the national level, the Anti-Illlegal Drug Special Operations Task Force (AIDSOTF) shall be headed by a Task Force Commander in permanent capacity with a rank of at least PSSUPT to be designated by the CPNP, who shall have direct control and supervision over the Task Force. The Task Force Commander shall designate a Deputy and Executive Officer with the rank of at least PSUPT.

The AIDSOTF shall have six (6) functional divisions and four (4) special operations units as its operating arm against illegal drug production, trafficking and arrest of wanted persons. The Task Force Commander shall also designate PCOs to head the six (6) functional divisions and (4) four special operations units at least with the rank of PSUPT (Annex B). At the Regional Level, the Anti-Illlegal Drugs Special Operations Task Group (RAIDSOTGs) shall be headed by the Regional Director while District, Provincial and City/Municipal Anti-Illlegal Drug Special
Operations Task Group (AIDSOTG) shall be headed by the District Director, Provincial Director, City Director and COP/Station Commander, respectively, who shall carry out anti-illegal drug operations in their respective AOR.

The four-level approach in the conduct of anti-illegal drug operations will be employed at the national, regional, district/provincial/city and municipal station levels to avoid overlapping of operational functions, as follows.

1) AIDSOTF shall conduct anti-illegal drug operations focusing on national level traffickers and international trafficking;

2) RAIDSOTG shall concentrate on illegal drug trafficking across district/provincial boundaries;

3) DAIDSOTG/PAIDSOTG/CAIDSOTG shall conduct operations against illegal drug trafficking across city/municipal boundaries; and

4) SAIOSOTG shall be responsible for eradicating street-level distribution through barangay clearing operations pursuant to OOB Board Regulation No.2 Series of 2007.

There shall be an Oversight Committee on Illegal Drugs which shall provide oversight function and periodic assessment on the implementation of this LOI, composed as follows (Annex C):

<table>
<thead>
<tr>
<th>POSITION</th>
<th>DESIGNATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>TDCO</td>
<td>Chairman</td>
</tr>
<tr>
<td>TDO</td>
<td>Vice Chairman</td>
</tr>
<tr>
<td>TDI</td>
<td>Member</td>
</tr>
<tr>
<td>TDIDM</td>
<td>Member</td>
</tr>
<tr>
<td>TDPCR</td>
<td>Member</td>
</tr>
<tr>
<td>DIR, LS</td>
<td>Member</td>
</tr>
<tr>
<td>TFC, AIDSOTF</td>
<td>Member</td>
</tr>
</tbody>
</table>
The Sub-Committee on Internal Cleansing shall be created which will conduct regular assessment, evaluation, review and monitoring of PNP personnel with derogatory information and/or listed in CI watch list on illegal drugs and recommend the conduct of Pre-Charge evaluation and investigation to the OIOM with the following composition (Annex D):

<table>
<thead>
<tr>
<th>POSITION</th>
<th>OFFICE/UNIT</th>
<th>DESIGNATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DDPRM</td>
<td>DPRM</td>
<td>Chairman</td>
</tr>
<tr>
<td>Ex-O</td>
<td>DIDM</td>
<td>Vice Chairman</td>
</tr>
<tr>
<td>Ex-O</td>
<td>DI</td>
<td>Member</td>
</tr>
<tr>
<td>CDS</td>
<td>IG</td>
<td>Member</td>
</tr>
<tr>
<td>CDS</td>
<td>LS</td>
<td>Member</td>
</tr>
<tr>
<td>DTFC</td>
<td>AIDSOTF</td>
<td>Member</td>
</tr>
<tr>
<td>C, DLOD</td>
<td>DPRM</td>
<td>Secretariat</td>
</tr>
<tr>
<td>C, PCED</td>
<td>DIDM</td>
<td>Member</td>
</tr>
<tr>
<td>C, CSD</td>
<td>DI</td>
<td>Member</td>
</tr>
</tbody>
</table>

b. **Tasks:**

1) **PNP Oversight Committee on Illegal Drugs**

a. Conduct quarterly meetings to oversee the progress of operational activities under this LOI;

b. Conduct quarterly assessment, evaluate, and propose necessary modifications and adjustments, if there are any, in order to ensure the successful implementation of this LOI;
c. Assist in the development of monitoring and feedback mechanism to ensure the effectiveness of this LOI;

d. Prepare quarterly reports with assessment/evaluation and recommendations to the CPNP on the activities and operations of AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs; and

e. Perform other tasks as directed.

2) DO

a. Overall supervisor in the implementation of this LOI;

b. OPR in the implementation of the Supply Reduction Strategy;

c. Provide functional supervision over AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs;

d. Ensure strict implementation of the protocol on the conduct of anti-illegal drugs operations;

e. Act as PNP representative to the Dangerous Drugs Board;

f. Maintain coordinative linkages with the DDB, PDEA, other line agencies/organizations to generate support for the frontline anti-illegal drug units;

g. Consolidate reports of AIDSOTF, RAIDSOTGs, PAIDSOTGs and CAIDSOTGs and prepare monthly report for the CPNP, DDB and PDEA;

h. Conduct periodic assessment on the operational activities of anti-illegal drug units;

i. Provide Secretariat to the PNP Oversight Committee on Illegal
drugs; and
j. Perform other tasks as directed.

3) DI

a. OPR in the implementation of the International Cooperation Strategy;
b. Generate and provide updated watch list, target list, and wanted list on illegal drug groups and personalities;
c. Provide an updated list of most wanted drug traffickers and manufacturers;
d. Generate CI watch list on illegal drugs;
e. Assist in the neutralization of drug groups/personalities and PNP personnel who are involved in illegal drug activities;
f. Maintain statistics on neutralized drug groups and/or syndicates.
g. Provide real-time technical intelligence support during the conduct of special operations on illegal drugs;
h. Provide intelligence support to counter irregularities in the conduct of anti-illegal drug operations;
i. Conduct regular assessment, evaluation, review and monitoring of PNP personnel with derogatory information and/or listed in CI watch list on illegal drugs;
j. Conduct background investigation/record check of personnel accommodated to PNP anti-drug units;
k. Establish linkages with other law enforcement agencies, foreign counterparts and other international
anti-drug organizations; and
l. Perform other tasks as directed.

4) **DIDM**

a. OPR in the implementation of the Legal Offensive Strategy;
b. Supervise the investigation, filing and monitoring of all anti-illegal drug cases until final disposition in court;
c. Coordinate the development of computer-based case tracking scheme which shall connect with the National Drug Information System of PDEA that monitors the status of all cases in drug courts nationwide;
d. Formulate policy guidelines to prevent bungling of drug cases and improve the conviction rate of drug cases filed in court;
e. Conduct investigation and file appropriate charges against PNP personnel who are bungling drug cases or engaged in illegal drug trade as users/abusers, coddlers, and protectors;
f. Conduct investigation and filing of appropriate charges against PNP personnel committing irregularities in the conduct of anti-illegal drug operations or in the prosecution of illegal drug cases;
g. Maintain statistics of all illegal drug cases filed by the PNP;
h. Monitor the status of criminal or administrative cases of PNP personnel charged with illegal drug-related offenses; and
i. Perform other tasks as directed.

5) **DPCR**

- a. OPR in the implementation of the Demand Reduction Strategy;
- b. Develop and institutionalize a uniform module/vehicle in the conduct of massive drug awareness activities;
- c. Activate the Drug Abuse Resistance Education (DARE) Program and organize a speaker’s bureau that will spearhead the public information drive to various sectors in coordination with the DDB and PDEA;
- d. Maintain statistics of demand reduction activities conducted by the PNP on a periodic basis;
- e. Maintain statistics on barangay clearing operations;
- f. Formulate an Information Operations Plan geared toward positively reshaping or reversing the mindsets and value-orientation of all PNP units in accordance with the intention of this LOI;
- g. Monitor and disseminate all PNP activities and programs relative to the campaign against illegal drugs in coordination with the tri-media;
- h. Coordinate with the DILG/LGU for the revitalization and/or activation of the Barangay Anti-Drug Abuse Council (BADAC) to support the PNP programs towards creating consciousness and awakening the community on their social responsibility in illegal drug abuse
prevention and eradication;
i. Assist in seeking necessary assistance from various private and public sectors in support of the implementation of Demand Reduction Activities;
j. Include drug-related topics in the conduct of PICE; and
k. Perform other tasks as directed.

6) DPRM

a. OPR in the implementation of the Internal Cleansing Strategy;
b. Operationalize the Sub-Committee on Internal Cleansing:
c. Support the personnel requirements of AIDSOTF and RAIDSOTGs in the implementation of this LOI;
d. Conduct study, propose and/or formulate policies to include the career development program of personnel assigned with AIDSOTF and RAIDSOTGs such as inclusion of its officers in the PNP Staffing Pattern and provision of regular quota for promotion and lateral entry;
e. Issue orders for the detail of personnel to AIDSOTF subject to existing policies;
f. Strictly implement policies issued by the PNP and DDB on the requirements for detail, leave or travel abroad of PNP personnel appearing as arresting officers or principal witnesses in drug cases abroad;
g. Assist in the conduct of investigation and summary hearing proceedings against PNP personnel found positive
for illegal drug use or involved in illegal drug activities; and
h. Perform other tasks as directed.

7) **DHRDD**

a. Formulate a program on the conduct of regular training on narcotics investigation for PNP personnel assigned in anti-drug units;
b. Coordinate with the PPSC for the enhancement of drug-related subjects in the PSBRC and other career courses;
c. Support the conduct of education and awareness of personnel in all PNP offices/units on the ill-effects of dangerous drugs; and
d. Perform other tasks as directed.

8) **DC**

a. Allocate funds necessary for the implementation of this LOI;
b. Formulate a program for the inclusion of regular fund support necessary for the implementation of the overall PNP anti-illegal drug strategy;
c. Allocate funds for the continuous drug testing of personnel in all PNP offices; and
d. Perform other tasks as directed.

9) **DL**

a. Provide necessary logistical support in the implementation of this LOI; and
b. Perform other tasks as directed.
10) **DPL**

a. Conduct a study, propose and/or formulate policy to include the position of personnel assigned with AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs in the PNP Table of Organization;

b. Liaise with both Houses of Congress to generate political support for the legislative proposals of the PNP to strengthen its campaign against illegal drugs; and

c. Perform other tasks as directed.

11) **Other D-Staff**

a. Provide all necessary operational and administrative support to AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs pertaining to their respective functional areas; and

b. Perform other tasks as directed.

12) **AIDSOTF**

a. Conduct anti-illegal drug operations focusing on international and national level trafficking;

b. Conduct special operations against drug syndicates and personalities engaged in production, importation and trafficking of illegal drugs in coordination with PDEA;

c. Maintain linkages with other law enforcement agencies;

d. Develop and maintain relevant database for collection, processing
and analysis of information on illegal drug activities to include the monitoring of high profile drug cases filed in courts;
e. Support the implementation, of demand reduction and internal cleansing strategies;
f. In coordination with RDs, PROs, designate case monitoring teams detailed to RAIDSOTGs to maintain continuity and follow up on the status of cases filed in court;
g. Coordinate with the DIDM regarding the use of the e-Blotter, e-Warrant and e-Rouge Systems; and
h. Perform other tasks as directed.

13) **ITMS**

  a. Customize reports needed to capture drug related incidents and cases in the e-Blotter, e-Warrant and e-Rouge System; and
  b. Perform other tasks as directed.

14) **LS**

  a. Support the implementation of the Legal Offensive Strategy;
  b. Support the implementation of the Internal Cleansing Strategy;
  c. Continuously utilize PNP lawyers in the regions as detailed Legal Officers of anti-drug units at regional, provincial/district, and station levels;
  d. Assist in the formulation of policy directives to avoid bungling of illegal drug cases and improve the conviction rate of illegal drug cases filed in court; and
  e. Perform other tasks as directed.
15) **PCRG**

a. Support the implementation of the Demand Reduction Strategy in coordination with the DPCR;

b. Support the implementation of the DARE Program and other Demand Reduction Activities in coordination with the DPCR;

c. Assist in the deployment and mobilization of DARE Officers; and

d. Perform other tasks as directed.

16) **TS**

a. Support the conduct of necessary training relative to implementation of the PNP anti-illegal drug strategy;

b. Assist in the allocation of training facilities and equipment; and

c. Perform other tasks as directed.

17) **CLG**

a. Support the processing, examination and custody of seized drug evidence by AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs;

b. Counter-check reports of operating personnel as to the quality and quantity of drugs recovered/seized during operation;

c. Assist in monitoring illegal drug cases filed in courts;

d. Support the implementation of drug testing program for all personnel in NHQ and PROs;

e. Provide appropriate technical and forensic support; and

f. Perform other tasks as directed.
18) **CIDG**

a. Support the conduct of operations against high-profile drug targets in coordination with AIDSOTF and AIDSOTGs’;

b. Support AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs in the investigation and filing of drug cases; and

c. Perform other tasks as directed.

19) **IG**

a. Support the implementation of the Internal Cleansing Strategy;

b. Deploy Special Operations Teams to assist in the conduct of operations against PNP personnel involved in illegal drug activities such as pushers, users, manufacturers, coddlers, and protectors;

c. Develop and provide intelligence support to counter irregularities in the conduct of anti-drug operations;

d. Assist in information collection efforts for anti-drug special operations and barangay clearing operations; and

e. Perform other tasks as directed.

20) **AVSEGROUP**

a. Support AIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs in the conduct of interdiction operations at all airports nationwide against local and transnational drug syndicates;

b. Facilitate access to airports and
provide other assistance to AIDSOTF and RAIDSOTGs personnel in the conduct of narcotics investigations and/or operations within airport AOR; and

c. Perform other tasks as directed.

21) **MG**

a. Support JAIDSOTF, Regional, Provincial, City and Municipal AIDSOTGs in the conduct of interdiction operations at all seaports nationwide against local and transnational drug syndicates;

b. Facilitate access to seaports and other assistance to AIDSOTF and SOTGs personnel in the conduct of narcotics investigations and/or operations in their AOR; and

c. Perform other tasks as directed

22) **SAF**

a. Provide tactical and/or operational support to AIDSOTF in the conduct of high-profile anti-illegal drug operations; and

b. Perform other tasks as directed.

23) **IAS**

a. Support the implementation of the Internal Cleansing Strategy; and

b. Perform other tasks as directed.

24) **Other NSUs**

a. Provide all necessary operational and
administrative support to AIDSOTF relative to their respective areas of interest; and

b. Perform other tasks as directed.

25) **RDs, PROS 1-13, COR, ARMM and NCRPO**

a. Designated as Task Group Commander, RAIDSOTG;

b. Overall supervisor in the implementation of the PNP anti-illegal drug strategy in respective AOR;

c. Conduct intensified operations against drug abuse and trafficking and arrest of wanted persons on illegal drugs in respective AOR;

d. Strictly implement the protocol on the conduct of anti-illegal drug operations;

e. Maintain updated watch/target list, wanted list on drug; groups/personalities and OB list on most wanted drug traffickers;

f. Maintain updated CI watch list on illegal drugs;

g. Conduct counter-intelligence operations and file appropriate charges against PNP personnel involved in illegal drug activities;

h. Conduct regular adjudication proceedings on PNP personnel with derogatory information and/or listed in CI watch list on illegal drugs;

i. Conduct investigation against PNP personnel committing irregularities in the conduct of anti-drug operations;

j. Conduct periodic drug test on all PNP
personnel assigned in respective units;
k. Conduct intelligence operations against local officials involved in illegal drug activities;
l. Conduct sustained drug awareness activities through the DARE program and other drug abuse prevention advocacies;
m. Institute drug prevention measures/programs to ensure drug-free workplaces in all offices/units under respective AOR;
n. Conduct media relations and community involvement activities for the propagation of PNP operational activities against illegal drugs to gain community support;
o. Develop and institutionalize a uniform module/vehicle in the conduct of massive drug awareness activities;
p. Organize a speaker’s bureau which shall spearhead the public information drive on illegal drugs to various sectors;
q. Coordinate with City/Municipal Local Government Operation Officers and Community leaders for the revitalization and/or re-activation of BADACs and BADAC Auxiliary Teams, and enlist their continuing support in creating consciousness and awakening of their constituents on their social responsibility toward drug abuse prevention and eradication;
r. Conduct validation with BADACs to account all drug groups and users/pushers in each barangay and conduct relentless drug enforcement
operations in priority drug-affected barangays based on BADAC-generated watch list;
s. Coordinate with Local Chief Executives (LCEs) for the conduct of administrative searches (regulatory inspection) of suspected drug dens, clandestine laboratories and chemical warehouses in respective AOR pursuant to Section 52, Art VII of RA No. 9165;
t. Conduct barangay clearing operations in accordance with DDB Board Regulation NO.2 Series of 2007;
u. Call for regular conference and discuss/emphasize strict compliance with anti-drug operational procedures issued by PDEA, DDB, and NHQPNP;
v. Maintain case tracking system/case monitoring database and case folders for each drug case handled by all anti-illegal drug units;
w. Conduct regular case conference with lawyers from Legal Service and Prosecutors to ensure successful prosecution of drug cases;
x. Designate case monitors in all drug courts to monitor the disposition of drug cases filed by anti-illegal drug units in respective AOR in coordination with AIDSOTF case monitoring team;
y. Include drug-related topics in the conduct of PICE;
z. Submit monthly report and periodic assessments on the implementation of this LOI to DO; and
aa. Perform other tasks as directed.
6. COORDINATING INSTRUCTIONS:

a. As far as practicable, all unit commanders must ensure that all anti-illegal drug operations shall be coordinated with PDEA in accordance with the PNP Manual on Anti-Illlegal Drug Operation and Investigation;

b. No PNP personnel shall be allowed to conduct a planned anti-illegal drug operation (i.e. buy-bust, search warrant, MJ eradication) unless he is a member of AIDSOTF, RAIDSOTG, DAIDSOTG, PAIDSOTG, CAIDSOTG and SAIDSOTG;

c. The pre-operations clearance form for planned operations must be accomplished, submitted to and approved by the unit commander or his designated action officer prior to the conduct of anti-illegal drug operations. All activities relative to this must be recorded in the blotter;

d. All operations shall conform with the provisions of RA No. 9165, the rules of Court, and strictly observe the Rights of the Accused enshrined in the Bill of Rights under the Philippine Constitution, other allied laws, rules and regulations, as well as the internationally accepted principles of international laws, public policy, and with due observance of human rights;

e. All concerned personnel shall strictly observe the rights of persons arrested, detained or under custodial investigation pursuant to RA No. 7438 and other existing rules and regulations of the PNP in the promotion of human rights;

f. The rules and regulations on the recruitment of personnel to and from anti-illegal drugs units must be strictly implemented;
g. Maximum inter-unit and ‘agency coordination is encouraged;

h. Enlist the assistance of other offices/units in the execution of their portion of the strategy including its component activities to sustain a unified and coordinating relationship; and

i. All tasked units shall submit IMPLANs within 15 days upon receipt of this LOI;

7. REPEALING CLAUSE:

All existing LOIs, directives, and other issuances whose provisions are contrary to or inconsistent with this LOI are hereby rescinded or modified accordingly.

8. EFFECTIVITY CLAUSE:

This LOI shall take effect immediately upon approval.

NICANOR A. BARTOLOME, CSEE
Police Director General
Chief, PNP
Annex “A” to LOI KONTRA DROGA CHARLIE

FUNCTIONAL CHART
PNP ANTI-ILLEGAL DRUG STRATEGY

TDCO

Secretarial DO

Supply Reduction (DO)  Demand Reduction (DPCR)  Internal Cleasing (DPRM)  Legal Offensive (DIDM)  Internal Cooperation (DI)

Chief AIDSOFT

Functional Divisions  Special Operations Unit

RD, PROs

RAIDSOTGs  District/Prov AIDSOTGs  City/Mun/Stn AIDSOTGs
Annex “B” to LOI KONTRA DROGA CHARLIE

ORGANIZATIONAL STRUCTURE
PNP-AIDSOTF

Chief, AIDSOTF

Deputy Chief

Chief of Staff

Functional Divisions

Admin and Resource Mgt Division

Intel and Foreign Liaison Division

Operations and Plans Division

Legal and Investigation Division

Community Relations Division

Budget and Finance Division

Operating Units

SOU 1

SOU 2

SOU 3

SOU 4
Annex “C” to LOI KONTRA DROGA CHARLIE

PNP OVERSIGHT COMMITTEE ON ILLEGAL DRUGS

TDCO
(Chairman)

TDO
(Vice-Chairman)

Secretariat
C, LED, DO  - Head
C, IOD, DI  - Member
C, RAD, DIDM - Member
C, PPPD, DPCR - Member

Members

TDI  TDIDM  TDPCR  Dir, LS  Chief, AIDSOTF
Annex “D” to LOI KONTRA DROGA CHARLIE

SUB COMMITTEE ON INTERNAL CLEANSING

DDPRM
(Chairman)

EX-O, DIDM
(Vice-Chairman)

Secretariat
C, DLOD - Head
C, PCED, DIDM
C, CSD, DI

Members
Ex-O, DI  CDS, IG  CDS, LS  SEA, IAS  DEPUTY CHIEF, AIDSOTF
APPENDIX H

PNP MEMORANDUM CIRCULAR
NUMBER 2012-006

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE
OFFICE OF THE CHIEF, PNP
Camp Crame, Quezon City

PNP MEMORANDUM CIRCULAR
NUMBER 2012-006

June 08, 2012

POLICIES AND PROCEDURES IN THE CONDUCT OF RANDOM/ MANDATORY DRUG TEST OF PNP UNIFORMED PERSONNEL INVOLVED IN DANGEROUS DRUGS

1. REFERENCES:

a. Republic Act (RA) No. 6975, as amended by RA No. 8551;

b. RA No. 9165 entitled, “An Act Instituting the Comprehensive Dangerous Drugs Act of 2002, Repealing Republic Act No. 6425, otherwise known as the Dangerous Drugs Act of 1972, as amended, providing Funds Therefore, and for Other Purposes” and its Implementing Rules and Regulations (IRR);

c. NAPOLCOM Memorandum Circular (NMC) No. 2007-001; and

2. **PURPOSE AND SCOPE:**

   This Circular aims to provide policies, guidelines and procedures in the conduct of a random/mandatory drug test and the drug testing of PNP uniformed personnel involved in dangerous drugs.

3. **DEFINITION OF TERMS:**

   The following terms, as used in this Circular, shall be defined as follows:

   a. **Confirmatory test** – An analytical test using a devise, tool or equipment with a different chemical or physical principle that is more specific, which validate and confirm the result of the screening test.

   b. **Continuing Qualifications** – Minimum qualifications for entry in the PNP must always be present during employment in the PNP and the absence of any of them at any given time shall be a ground for separation or retirement from the service.

   c. **Mandatory Drug Test** – it is a drug test required or commanded by the authority to the PNP personnel in some instances, such as schooling, promotion, etc., in order to detect the use of illegal or dangerous drugs.

   d. **Notice** – Written information intended to apprise PNP uniformed personnel of the assessment or findings of the PNP or any competent authority in which their interests are involved, or informing them of some facts which it is their right to know and the obligation of the notifying party to communicate.

   e. **Random Drug Test** – A drug test conducted to PNP personnel without specific pattern, plan or order to detect the use of illegal or dangerous drugs.
f. Retirement under Sec. 14 of RA No. 8551 – Retirement of PNP personnel who are fifty (50) years of age and above and have served the government for at least twenty (20) years.

g. Optional Retirement – Retirement upon accumulation of at least twenty (20) years of satisfactory active service upon the request of the PNP personnel and with the approval of the NAPOLCOM (Sec. 40 of RA No. 6975).

h. Separation from the Service – For purposes of this Circular, the term shall mean the severance form the service of PNP personnel below 50 years of age and have served in the government for less than 20 years, but found positive for dangerous drugs, in accordance with Section 14 of RA No. 8551.

i. Screening Test – A rapid test performed to established a potential/presumptive positive result to the standards set forth under existing laws, rules and regulations.

4. POLICIES:

a. The non-use of prohibited drugs is a continuing qualification that all police officers must strictly observe.

b. For the purpose of determining compliance with the continuing requirements on the non-use of prohibited drugs, the PNP shall conduct a regular or random drug test. However, all PNP personnel assigned with the anti-illegal drug units shall undergo a mandatory drug test semi-annually.

c. Sec 14, RA No. 8551 should apply to all personnel found positive of using prohibited drugs random or mandatory drug testing, while NMC No. 2007-001 should govern all other violations of RA No. 9165.
without prejudice to any criminal liability as states in the case of PSUPT CESAR R QUANO, JR vs. SPO3 William Billy B. Chan, DILG Appeal Case No. 09-163.

d. The prosecution and disposition of cases involving illegal drugs shall be given priority among other administrative cases.

e. Reports, incidents or referrals concerning involvement of PNP personnel in dangerous drugs must be immediately investigated. Concerned personnel shall be required to undergo a drug test.

f. The immediate superior officer shall be held accountable for “neglect of duty” under the doctrine of “command responsibility” if he has knowledge that his subordinate/s used or is using prohibited drugs, and despite such knowledge, he/she did not take preventive or corrective action either before, during or immediately after its commission.

PROCEDURES:

a. Random/Mandatory Drug Test of Personnel Pursuant to Sec 14 of RA No. 8551 and Sec. 36 (e) of the IRR of RA No. 9165:

   a.1) The conduct of random/mandatory drug test shall be in the presence of any PNP personnel who is more senior than the one being subjected to drug test;

   a.2) The PNP Crime Laboratory (CL) shall furnish the subject of the drug test with a form to be filled-out by the latter wherein he/she should state that he/she is not using any prohibited drugs or if he/she is taking regulated drugs prescribed by a competent physician, he/she shall so declare;
a.3) If found positive during the screening test, PNP personnel have the right to challenge the result of the screening test within fifteen (15) days upon receipt of the result through a confirmatory test conducted by any of the drug testing laboratories accredited and monitored by the Department of Health (DOH) or by the National Reference Laboratory (NRL), provided that, said laboratory has Gas Chromatography-Mass Spectrometer (HPLC-MS) equipment or other similar equipment to ensure a result that is free from human intervention, and, provided further that, the same specimen submitted for random/mandatory test on which the PNP personnel were found positive shall be brought personally by the examiner-on-case to witness the challenge. Payment for the confirmatory test shall be at the expense of the challenging party;

a.4) The conduct of screening and confirmatory test shall be subject to guidelines provided by the Dangerous Drugs Board in its Board Regulation No. 7 dates August 1, 2003 with subject, General Guidelines for the Implementation of Mandatory Drug Testing to Officers and Members of the Military, Police and Other Law Enforcement Agencies, and Applicable PNP Policies;

a.5) Should the drug test yield positive without being challenged pursuant to para 3 above, a mandatory confirmatory test shall be conducted by the PNP Crime Laboratory within five (5) days after the lapse of the prescribed period to challenge the result;

a.6) If found positive after the confirmatory test, the same shall be a prima facie evidence that
will serve as the basis for his/her separation from the service pursuant to Sec. 14 of RA No. 8551; and

a.7) The DPRM will, in turn, issue a notice of such positive results to the subject PNP personnel and require them to answer on why they should not be separated /retired despite such positive results of drug use.

b. PNP Personnel Apprehended/Arrested for Violating the Provisions of RA No. 9165:

b.1) PNP personnel apprehended or arrested for violating the provisions of RA No. 9165, also known as the “Comprehensive Dangerous Drugs of 2002”, shall be subjected to screening laboratory examination or test within twenty-four (24) hours, if the apprehending or arresting officer has reasonable ground to believed that the person apprehended or arrested, on account of physical signs or symptoms or other visible or outward manifestation, is under the influence of dangerous drugs;

b.2) The PNP CL shall furnish the subject of the drug test with a form to be filled-out by the latter wherein he/she should state that he/she is not using any prohibited drugs or if he/she is taking regulated drugs prescribed by a competent physician, he/she shall so declare;

b.3) If found positive during the screening test, the PNP personnel have the right to challenge the result of the screening test within fifteen (15) days upon receipt of the result through a confirmatory test conducted by any of the drug testing laboratories accredited and monitored by the DOH in the presence of a PNP CL representative;
b.4) The conduct of screening and confirmatory test shall be subject to strict regulation approved and prescribed by competent authorities;

b.5) Whether found positive or negative for use of prohibited/dangerous drugs, the provision of NMC 2007-001 shall be applied.

5. SEPARABILITY CLAUSE:

If any part or provision of this Circular is held unconstitutional or invalid, the other provisions shall not be affected.

6. REPEALING CLAUSE:

PNP Circular No. DIDM 03-02 dated July 6, 2003 is hereby repealed while other PNP issuances or parts thereof which are contrary to or inconsistent with this Circular are hereby amended, modified or likewise repealed accordingly.

7. EFFECTIVITY:

This Circular takes effect fifteen (15) days from the date of publication. A thereof will be forwarded to the University of the Philippines law center pursuant to Section 3 and 4 of Chapter 2, Book VII of EO No. 292, otherwise known as the Administrative Code of 1987.

NICANOR A. BARTOLOME, CSEE
Police Director General
Chief, PNP
APPENDIX I

PNP AIDSOTF BEST PRACTICE

CASE MONITORING AND REPORTING SYSTEM FACT SHEET

PROJECT SUMMARY:

The PNP AIDSOTF Case Monitoring and Reporting System (CMRS) is a process by which illegal drugs cases are continuously monitored through adherence to the Standard Records Filing System and ensuring the strict attendance of police witnesses during trials with the intent of successfully prosecuting cases and attaining a higher conviction rate.

General Objective and Supporting Objectives

Institutionalize a comprehensive case monitoring and reporting system on illegal drugs cases filed by AIDSOTF and ensure religious attendance of police witnesses in court to preempt dismissal of cases or acquittal of respondents due to the non-appearance of witnesses during trials or hearings.

Plans to Achieve Objectives

- Documentation of Case Folders submitted by Investigators;
- Establish and maintain a computer Data Base on illegal drugs;
- Designation of Court Process Officer;
- Selection of dedicated personnel to handle CMRS;
- Establish a Subpoena/Court Notices/Orders Recording System;

- Mandatory submission of After Court Hearing Reports (ACHR) and maintain records of Court appearances;

- Granting of court duty allowances to witnesses;

- Submission of copies of Transcript of Stenographic Notes on direct and cross examinations by police personnel testifying in court;

- Merit System (Presentation of appropriate awards/commendations to deserving police personnel for the successful prosecution of cases);

- Filing of administrative and criminal cases against police witnesses for non-appearance in court proceedings;

- Focused lectures/extra instructions for police personnel acting as witnesses; and

- Updating of Unit Policies and Guidelines.

Relevance in the Implementation of the PNP PATROL Plan 2030

One of the Primary Drivers under the PNP PATROL Plan 2030’s Objective 2 (Crime Solution) is the Implementation of Standard Investigative Systems and Procedures. The PNP AIDSOTF’s Case Monitoring and Reporting System as a Best Practice forms part of our Critical Action to enhance the implementation of the PNP PATROL Plan 2030.
Primary Costumers/Recipients/Stakeholders Involved

- Community (Filipinos, Foreign visitors, Balikbayan and Investors)
- Other members of the Criminal Justice System (CJS)
- PDEA
- C, PNP
- Secretary, DILG

Rationale/Reason for the Implementation of the PPA.

Case monitoring data from 2003 to 2013 shows an increase in the number of resolved illegal drugs cases handled by the PNP AIDSOTF resulting in the conviction of 117 respondents representing a conviction rate of 71.34%. This is brought about by the strict monitoring of our personnel’s attendance to court duties in all illegal drugs cases. This development highlights the effectiveness of the project, thus, its institutionalization.

PROJECT OBJECTIVES:

Improve case monitoring of illegal drugs cases; adherence to the Standard Records Filing System and ensuring the 100% attendance of personnel to court duties.

PARTNERS INVOLVED:

Lateral coordination with the Prosecution Service, Philippine Drug Enforcement Agency, PNP Quad Staff, Foreign Counterparts and other concerned agencies must be dynamic.
### PROJECT SCHEDULE:

#### Timeline of Activities:

#### PROJECT ACCOMPLISHMENTS/DEVELOPMENT:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>TIMELINE</th>
<th>OPR</th>
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<tbody>
<tr>
<td><strong>1st SEMESTER OF 2014</strong></td>
<td>Feb</td>
<td>Mar</td>
</tr>
<tr>
<td>Workshop with AIDSOTF Investigators and Operatives</td>
<td></td>
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<tr>
<td>• Crafting of Policy Guidelines</td>
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<tr>
<td>Issuance and Implementation of the Policy Guidelines</td>
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<tr>
<td>Monitoring of Initial Results of Implementation</td>
<td></td>
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<tr>
<td>Maintain Records of Attendance to Court Duties</td>
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<tr>
<td>Maintain Periodic Data/Reports</td>
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<tr>
<td>Submission of Monthly Report to OPD for Monitoring of Compliance</td>
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<tr>
<td>on the PNP Patrol Plan 2030.</td>
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<tr>
<td>Submission of Compliance to TDIDM re Monthly Submission of Court Duty</td>
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</tbody>
</table>

Accomplishments in the conceptualization, development and implementation of the Case Monitoring and Reporting System.

On March 14, 2014, this Office in its sincere intent to ensure the successful prosecution of illegal drugs cases, implemented Policy Guidelines to monitor strict adherence to court duties by AIDSOTF personnel through the submission of After Court Hearing Reports.
After Court Hearing Report Flowchart

Subpoena for AIDSOTF personnel from DOJ and other Quasi-Judicial Body

Court Process Officer (CPO) LID-CMCS

NO ACHR received after 3 days of scheduled court hearing

ACHR will be marked "RECEIVED" by LID-CMCS

Verification of Documents Submitted

Copy Furnished ARMD for Documentation and Reimbursement of Expenses

Record the schedule of the Court Hearing

Attend the Court Hearing and Secure Certificate of Appearance (CA)

Prepare and submit After Court Hearing Report (ACHR) with CA attached NLT 3 days after the CHR

Copy Furnished Admin Officer/Action PNCO of Division/Office/SOU of Police Witness

Remind the Police Witness on his/her schedule Court Hearing

Report the schedule of the Court Hearing

Personnel will be required to submit written explanation re status of the case

Failure to comply Police witness will be subject for PCE

Copy Furnished Admin Officer/Action PNCO of Division/Office/SOU of Police Witness
ANNEX “A”
SEARCH WARRANT FORMS
DEPOSITION OF WITNESS/ES

Republic of the Philippines
REGIONAL TRIAL COURT
Branch _________, City of _______

PEOPLE OF THE PHILIPPINES, Plaintiff,
SEARCH WARRANT NO. ___________
For: Violation of Article _____, RA 9165
(State the Specific Violation)

-versus-

Respondent

x-----------------------------x

DEPOSITION OF WITNESS/ES

I/We, ________________________________________ after having been duly sworn to testifies, as follows:

Q  - What are your names and other personal circumstances?
A  - We are ____________________ and _______________ both of legal ages, and married and single, respectively, bonafide members of the Philippine National Police and presently assigned with the ____________________.

Q  - Do you know ___, the applicant for Search Warrant?
A  - Yes Sir, he is presently assigned with ____________________

Q  - Do you personally know who is/are the person/s who has/have control of the above-described properties?
A  - Yes Sir.

Q  - How did you know that the said properties are kept in his/her premises which are subject of the offense?
A  - We conducted discreet surveillance and it was confirmed that _______ is keeping ____________ in his/her premises/residence.

_________________   ________________
Deponent                Deponent

SUBSCRIBED AND SWORN to before me this ____ day of _____________ in __________, Philippines

________________________________________
Administering Officer
ANNEX “A-2”
APPLICATION FOR SEARCH WARRANT

Republic of the Philippines
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
Branch ________, City of ___________

PEOPLE OF THE PHILIPPINES,          SEARCH WARRANT NO._____________
Plaintiff,     For: Violation of Sec ___ Art II, RA 9165
-versus-
____________________,
Respondent

APPLICATION FOR SEARCH WARRANT

COMES NOW, the undersigned, _______________________ presently assigned at ________________________________________ and having been duly sworn to in accordance with law do hereby depose and state the following under oath:

That he was informed and verily believes that ____ (name of the person to be searched), who may be found at the premises __________________ (complete address of the place to be searched), is in possession or has in his control a property (subject of the offense; stolen or embezzled and other proceeds or fruits of the offense; used or intended to be used as a means of committing an offense), which he is keeping and concealing in the premises above described.

That the undersigned has verified the report and found it to be a fact and was confirmed to him by his witnesses, Police Officer _______________ and Police Officer _______________________, who were able to gain entry into the aforementioned premises of the respondent, and has therefore reason to believe that search warrant should be issued to enable the undersigned to take possession and bring to this Court the following described property:

a. Assorted essential chemicals/precursors being used in the Manufacture of Methamphetamine Hydrochloride (SHABU);

b. Equipment, apparatus and paraphernalia being used in manufacture of Methamphetamine Hydrochloride (SHABU),

c. Undetermined amount of dangerous drugs Methamphetamine Hydrochloride (SHABU),

d. One (1) unit caliber .45 pistol.

e. One unit of pistol of unknown caliber

f. Vehicles being used by the group in their illegal drug manufacturing activities particularly a__________________ with plate # ___________ and __________________ with plate # __________ and;

g. Other vital documents related to illegal drug
That the undersigned has verified the report and found out to be a fact that suspects are violating Section _________, Article II of RA 9165 otherwise known as “The Comprehensive Dangerous Drugs Act of 2002” and Violation of PD 1866 as amended by RA 8294 for Illegal Possession of Firearms.

That the undersigned has believed that a Search Warrant be issued to enable the undersigned to arrest the suspects, take custody of all in their possession and to bring before this Honorable Court the above-described pieces of evidence.

WHEREFORE, the undersigned prays to this Honorable Court to issue a search warrant authorizing him and or his men or any peace officer to search the premises and if machines are attached to the ground, padlock the premises described in this application and to seize and bring to this Honorable Court the personal property above described to be dealt with the full accord with existing laws.

City of __________________, Philippines, _________________, 20______.

________________________________
APPLICANT

RECOMMEND APPROVAL FOR FILING:

________________________________
________________________________

APPROVED FOR FILING:

________________________________
________________________________
ANNEX “A-3”
PRE-OPERATION CLEARANCE

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

PRE-OPERATION CLEARANCE

1. OPERATING UNIT/OFFICE ____________________________

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<tr>
<td>A</td>
<td>NATURE OF OPERATION:</td>
<td></td>
<td></td>
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<tr>
<td>B</td>
<td>DURATION OF OPERATION:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>TARGET LOCATION:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>NAME AND MOBILE NO. OF TEAM LEADER:</td>
<td></td>
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<tr>
<td>E</td>
<td>NUMBER OF PERSONNEL INVOLVED AND ISSUED FIREARMS:</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>RANK/NAME</th>
<th>MAKE/TYPEx OF FIREARMS</th>
<th>SERIAL NUMBER</th>
<th>REMARKS (Nature of Issuance)</th>
</tr>
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<tbody>
<tr>
<td>PCINSP JERRY SALAZAR</td>
<td>GLOCK 17/9MM</td>
<td>PNP092212</td>
<td>ARE</td>
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</tbody>
</table>

2. NUMBER/DESCRIPTION OF VEHICLES INVOLVED:

<table>
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<tr>
<th>TYPE</th>
<th>MAKE</th>
<th>COLOR</th>
<th>PLATE NUMBER</th>
</tr>
</thead>
</table>

(Attachments: Coordination Form, Pre-Operation Report, SW, etc.)

3. NOTED BY:

_________________________
Chief, SAIDSOTG

4. RECOMMEND APPROVAL:

_________________________
Deputy, COP for Operations

5. APPROVED/DISAPPROVED:

_________________________
Chief of Police
ANNEX “A-4”

COORDINATION FORM

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

COORDINATION FORM

Control Number: ___________________ Time/Date_______________

I. (To be accomplished by Coordinating Unit)

a. Coordinating Unit: _______________________________________

b. Type of Operation: (Check Appropriate Box)

<table>
<thead>
<tr>
<th>Surveillance</th>
<th>Buy-Bust</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casing</td>
<td>Search Warrant</td>
</tr>
<tr>
<td>Test Buy</td>
<td>Other(Specify)</td>
</tr>
</tbody>
</table>

c. Duration of Operation: ________________________________________

d. Area/s of Operation: __________________________________________

e. Team Leader: _______________________________________________
               (Rank/Surname/First Name/MI/Designation)

f. Number of Personnel Involved:__________________________________

g. Description of Vehicles Involved:

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<th>TYPE</th>
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<th>COLOR</th>
<th>PLATE NUMBER</th>
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</table>

(Signature over printed name)

II. (To be accomplished by receiving Agency/Territorial Police Unit)

<table>
<thead>
<tr>
<th>DATE/TIME RECEIVED</th>
<th>NAME OF RECEIVING PERSONNEL</th>
<th>NAME OF RECEIVING UNIT</th>
<th>SIGNATURE</th>
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Note: (To be accomplished in three (3) copies).
ANNEX “A-5”
PRE-OPERATION REPORT

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

PRE-OPERATION REPORT

Control Number: ____________________  Time/Date: ____________________

I. Unit/Office:  _______________________________________________________

II. Name of Target/s: ________________________________________________

III. Citizenship:

[ ] Filipino        [ ] Foreigner

IV. Specific Area of Operation: ________________________________________

V. Summary of Information: (stating briefly the target’s modus operandi)

___________________________________________________________

___________________________________________________________

___________________________________________________________

VI. Other Requirements (to be submitted following the operation):

  - **AFTER OPERATION REPORT** (Shall be submitted within 24 hours following the operations).

  - **SPOT REPORT** (Shall be submitted within six (6) hours after every operation whether the result is positive or negative).

  - **PROGRESS REPORT** (For positive result, should regularly be submitted depending on the developments).

___________________________________________________________

Team Leader or Chief, SAIDSOTG
MEMORANDUM

FOR : Director, Crime Laboratory Group
      (Attn: Chief, Chemistry Division)

FROM : Team Leader, _________________

SUBJECT : Request for Augmentation

DATE : _________________

1. This pertains to the Search Warrant operations to be conducted by elements of this Office against suspected Drugs Clandestine Laboratory/Chemical Warehouse/Storage Facility located at _______________________________ on __________________, 20___.

2. In this regard, respectfully request availability of one (1) SOCO team to augment with the operatives of this unit in the implementation of Search Warrant No. ___________ issued by Honorable Judge ____________________________, Executive Judge, RTC Branch ________, _______ dated ___________, 20___.

3. _________________, Investigator-on-Case of this Office will personally coordinate in your Office for this purpose.

4. For favorable consideration and prompt action on this matter.

________________________
Team Leader

Received by:

_______________________
Signature

_______________________
Rank/Name

_______________________
Date/Time
RECEIPT/INVENTORY FOR PROPERTY SEIZED

Date Accomplished: __________

THIS IS TO CERTIFY that the undersigned has seized and taken possession of the property of the herein below described from Mr./Ms. ________________, at __________________ in accordance with Search Warrant No.____________________, issued by Honorable Judge __________________________ of RTC Branch ______________, dated ___________ which seizure was done in the presence of Mr./Ms. ________________, __________________ and __________________ as witnesses, on __________________, 20__.  

<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>QUANTITY</th>
<th>DESCRIPTION</th>
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</table>

A copy of hereof was furnished to MR/MS __________________ who was/were present during the inventory of the above described property/items/articles.

Signature over printed name
Seizing Officer/Poseur Buyer

WITNESS/ES TO INVENTORY:

1. __________________________
   Signature over printed name
   __________________________
   Address
   ________________ Time/Date

2. __________________________
   Signature over printed name
   __________________________
   Address
   ________________ Time/Date
VERIFICATION

REPUBLIC OF THE PHILIPPINES
City/Province of ______________) ss

I, __________________________, of legal age, Filipino, bonafide member of the PNP AIDSOTF after being sworn in accordance with law, hereby depose and say:

1. That I am the duly designated SEIZING OFFICER in the afore-mentioned anti-illegal drugs operation;

2. That I have caused the preparation of the above RECEIPT/INVENTORY OF THE PROPERTY SEIZED and I have read the same and know the contents thereof;

3. That the allegations contained therein are true and correct of my own personal knowledge, belief and based on authentic documents.

IN WITNESS WHEREOF, I have hereunto set my hands this __________, at _____________________________, Philippines.

___________________
Affiant

SUBSCRIBED AND SWORN to before me this ___day of _______, 20__, at ____________________, I further certify that I have personally examined the affiant and I am convinced that he voluntary executed and understood his foregoing statements.

_______________________
Administering Officer
SUSPECT’S PERSONAL PROPERTY RECEIPT FORM

Date Accomplished: ___________________

This is to certify that the suspect’s personal properties/valuables as property itemized and described below was received for safe keeping. The items are as follows:

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Items Detailed Description with Brand Name, Serial Number and Identifiable Characteristics</th>
<th>Status/Remarks</th>
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<tbody>
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Turned over by: ___________________  Received by: ___________________

Time/Date: _______________________  Time/Date: ___________________

Suspect’s acknowledgement: _______________________________
(name and signature over printed name)

Witnessed by: ____________________

Time/Date: _______________________
# ANNEX “A-10”

## CHAIN OF CUSTODY FORM

Republic of the Philippines  
NATIONAL POLICE COMMISSION  
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE  
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE  
Camp Crame, Quezon City

<table>
<thead>
<tr>
<th>Nature of Case:</th>
<th>____________________________________________________________</th>
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<tbody>
<tr>
<td>Name of Suspects/s:</td>
<td>_________________________________________________________</td>
</tr>
<tr>
<td>Time, Date and Place of Occurrence:</td>
<td>__________________________________________________________</td>
</tr>
<tr>
<td>Arresting Officers / Operating Unit:</td>
<td>_________________________________________________________</td>
</tr>
<tr>
<td>Description of Evidence/s:</td>
<td>__________________________________________________________</td>
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</tbody>
</table>

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### TURNED OVER BY

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<td>TURNED OVER BY</td>
<td>(Name and Designation)</td>
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<td>Time and Date</td>
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<td>RECOMMENDATION</td>
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<td>Time and Date</td>
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<td>Remarks</td>
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</table>
ANNEX “A-11”
CERTIFICATE OF ORDERLY SEARCH

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

CERTIFICATION OF ORDERLY SEARCH

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at about _________ of ___________ 20 __, a team from ________________________ led by _________________ conducted search in my residence/premises at ________________________ by virtue of Search Warrant No. _____________ issued by Judge _________________ of RTC Branch ________, __________ on 20__.

That I was present at all times and has witnessed the conduct of the search which was done in an orderly manner, no unnecessary force was employed, nobody was hurt nor was there anything lost nor property taken without official receipt.

That the search was conducted in accordance with the law and in view hereof, I do not have any complaint whatsoever against any member of the ________________________ team that conducted the search.

IN WITNESS WHEREOF, I/WE have hereunto affixed my/our signature this _________________ of _______ 20____ at ____________________.

_______________________________________
Owner/Custodian of Property Subject of Search

WITNESSES:
_______________________________________
_______________________________________

SUBSCRIBED AND SWORN to before me this ____ day of _____ in ____________, Philippines

CERTIFICATION

THIS IS TO CERTIFY that I have personally examined the herein affiant and I am fully satisfied that he/she voluntary executed and understood his/her statement.

_______________________________________
Administering Officer
ANNEX “A-12”
BARANGAY CERTIFICATION

Republic of the Philippines
OFFICE OF THE BARANGAY CHAIRMAN
Barangay ________________
______________________

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at about ______ operatives from the Philippine National Police, _________________________ led by _________________________ conducted Search Warrant at _________________________ on _________________________ 20______.

That the said operation resulted in the arrest of the following person/s:

1. _______________________, ______________________;
2. _______________________, ______________________;
3. _______________________, ______________________.

FURTHER CERTIFY that the operation was done in conformity with the law, no unnecessary force was employed, nobody was hurt nor was there anything lost nor property taken without official receipt.

___________________________
Signature over printed name
Barangay Chairman

CONFORM:

___________________________
Respondent

WITNESSES:

1. _______________________
   Designation/Name/Signature   Office/Address/Telephone Number
2. _______________________
   Designation/Name/Signature   Office/Address/Telephone Number
3. _______________________
   Designation/Name/Signature   Office/Address/Telephone Number
PNP ARREST AND BOOKING SHEET
(To be accomplished by the Arresting Officer)

BLOTTER ENTRY NR. _________ DATE: ________

(Last name)         (First Name)         (Middle Name)

ADDRESS: ________________________________________________________

MARITAL STATUS: □ SINGLE □ WIDOWER SEX: □ MALE
□ MARRIED □ SEPARATED □ FEMALE

AGE: ______ WEIGHT: ______ EYES: ______ HAIR: ______

COMPLEXION: ______ OCCUPATION: ______ NATIONALITY: ______

HIGHEST EDUCATIONAL ATTAINMENT: ________________________________

NAME OF SCHOOL: ________________________________________________

LOCATION OF SCHOOL: _____________________________________________

IDENTIFYING MARKS/CHARACTERISTICS:______________________________

DRIVER’S LICENSE NUMBER: __________ ISSUED AT __________ ON ______

RES CERT NR.: ______________ DATE AND PLACE ISSUE: ______________

OTHER ID CARDS: _______________________________ ID NR.: __________

NAME OF FATHER: ___________________________ AGE: ____________

ADDRESS: ________________________________________________________

NAME OF MOTHER: ___________________________ AGE: _____________

ADDRESS: ________________________________________________________

NAME AND ADDRESS OF PERSON TO BE NOTIFIED IN CASE OF EMERGENCY:

NAME: ________________________ RELATIONSHIP: ____________________

ADDRESS: ____________________ TEL #: _____________________________

LAWYER: ____________________ TEL #: _____________________________

DOCTOR: ____________________ TEL #: _____________________________

HEALTH PROBLEM: ________________________________________________

OFFENSE CHARGE: ________________________________________________

(NATURE OF OFFENSE) (CRIM/IS NUMBER)

WHERE ARRESTED: ________________________________________________

DATE ARRESTED: __________________ TIME: ________________________

NAME OF ARRESTING OFFICER/S: __________________ UNIT: ____________
MEDICAL EXAMINATION CONDUCTED AT: ______________________________

NAME OF PHYSICIAN: _____________________ ON: ____________________

FINGERPRINT TAKEN BY: __________________________________________

PHOTO TAKEN BY: _________________________________________________

DUTY INVESTIGATOR: _____________________________________________

BOOKED BY: _____________________________________________________

SIGNATURE OF PERSON ARRESTED: ________________________________

(INDICATE IF REFUSE TO SIGN)

<table>
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<tr>
<th>RANK</th>
<th>NAME</th>
<th>SIGNATURE</th>
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**RIGHT HAND**

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<tr>
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<th>Middle</th>
<th>Ring</th>
<th>Little</th>
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**LEFT HAND**

(ATTACHED MEDICAL EXAM; MUG SHOTS; TEN PRINTS OF SUSPECT/S)
ANNEX "A-14"
REQUEST FOR LABORATORY/CHEMICAL ANALYSIS

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Crime Laboratory
       (Attn: Chief, Chemistry Division)
FROM : Team Leader, _______________________
SUBJECT : Request for Laboratory/Chemical Analysis
DATE : ____________________________

1. Respectfully request conduct of Laboratory/Chemical Analysis to the accompanying specimen describe below:

   A. EVIDENCE SUBMITTED:
      ______________________________________________________
      ______________________________________________________

   B. NAME OF SUSPECT(S):
      ______________________________________________________
      ______________________________________________________

   C. NATURE OF OPERATION:
      ______________________________________________________
      ______________________________________________________

2. Further request copy of examination result as part of our documentary requirements filing of appropriate case in court.

3. For your consideration. ____________________________

Police Inspector

Received by: ____________________________

Signature

Rank/Name

Date/Time
ANNEX “A-15”
REQUEST FOR LABORATORY SCREENING TEST

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Crime Laboratory Group
(Attn: Chief, Chemistry Division)

FROM : Team Leader, _______________________

SUBJECT : Request for Laboratory Screening Test

DATE :

1. Reference: Sec. 38 of Republic Act 9165.

2. Respectfully request conduct of Laboratory Screening Test on the living person of ____________, of legal age, and presently residing at ______________, on account of physical signs or symptoms or other visible or outward manifestation, that he/she is under the influence of dangerous drugs. If found positive, request conduct confirmatory test.

3. Said person was arrested by this Unit during the service of Search Warrant conducted at about _____ AM/PM of ____________, 20___ at _________________.

4. Further request furnish this Office the result thereof for our investigative and future reference.

5. For your consideration.

_____________________
Police Inspector

Received by:

_____________________
Signature

_____________________
Rank/Name

_____________________
Date/Time
MEMORANDUM

FOR : Director, Crime Laboratory Group
     (Attn: Chief, Medico-Legal Division)

FROM : Team Leader, _______________________

SUBJECT : Request for Physical/Medical Examination

DATE :

1. Respectfully request conduct of Physical/Medical Examination on the living person of ________________, of legal age, and presently residing at ________________.

2. Said person was arrested by this Unit during the service of Search Warrant conducted at about _______ AM/PM of ______________, 20___ at ______________.

3. Further request furnish this Office the result thereof for our investigative and future reference.

4. For your consideration.

_________________________________________
Police Inspector

Received by:

_________________________  
Signature

_________________________  
Rank/Name

_________________________
Date/Time
AFFIDAVIT OF SEIZING OFFICER

I, the undersigned, a bonafide member of the Philippine National Police (PNP) presently assigned with ________________________ with office address at ________________________, after having duly sworn to in accordance with law do hereby depose and state;

That on or about __________________ of ________________, team led by __________________ under the supervision of __________________ implemented the service of Search Warrant No. _______________ for violation of Sec _____ of Art II, RA 9165 issued by Hon. Executive Judge ______________________ of ________________ RTC Branch _______ dated ______________, in the premises being occupied by __________________;

That, after showing and explaining the purpose of our Search Warrant in the language known and understand by him, the search was done in an orderly manner in front of the respondent witnessed by Brgy. Chairman __________________ of Brgy ______________, and Mr/Ms/Atty. ________________, of City Prosecutor’s Office or Mr/Ms. ____________, of News ______________;

That I, ________________________, search the premises and recovered the following:

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That, after seizing the above-mentioned items, the designated arresting officer ______________________ was called to arrest ______________________ and immediately apprised him of his constitutional rights;

The actual physical inventory, markings and taking of photographs of seized evidence were conducted at ______________ and witnessed by the suspect himself in the presence of Brgy. Chairman __________________ of Brgy ______________, and Mr/Ms/Atty. ________________, of City Prosecutor’s Office or Mr/Ms. ____________, of News ______________;

(In case of absence of either of the witnesses required, the same must be explained in the affidavits)

That the undersigned affixed his initial and signature as markings on the seized drugs. That all drug and non-drug evidence recovered were turned-over by the undersigned to the Investigator on case ________________ at __________________________ of the same date for investigation and documentation.
That we brought the arrested suspect/s to our office for investigation and proper disposition. The arrested person was later brought to __________ for medical/physical and laboratory screening test while the confiscated pieces of evidence were turned-over by the Investigator-on-case to __________ at about ____________ of ______________, 20__ for chemical analysis;

That the arrested person was later identified as ___________________, ____ years of age, a resident of ________________;

Laboratory report no. dated __________, examined by ______________ gave the following result:

That anything not mentioned in this affidavit will be narrated during proper trial;

That I executed this affidavit to attest the truthfulness of the above narrated facts and to support our charge for violation of Sec ____ of Art II, RA 9165 against the above named suspect.

___________________________
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ in __________, Philippines
AFFIDAVIT OF ARRESTING OFFICER (SW)

Republic of the Philippines  )
Quezon City              ) S.S
x------------------------------------------------------------------x

AFFIDAVIT OF ARRESTING OFFICER (SW)

I, the undersigned, a bonafide member of the Philippine National Police (PNP) presently assigned with _________________ with office address at _________________, after having duly sworn to in accordance with law do hereby depose and state;

That on or about _________________ of _________________, team led by _________________ under the supervision of _________________ implemented the service of Search Warrant No. _________________ for violation of Sec _____ of Art II, RA 9165 issued by Hon. Executive Judge ______________________ of _________________ RTC Branch ____________ dated _________________, in the premises being occupied by _________________:

That, after showing and explaining the purpose of our Search Warrant in the language known and understand by him, the search was done in an orderly manner in front of the respondent witnessed by Brgy. Chairman _________________ of Brgy _________________, and Mr/Ms/Atty. _________________, of City Prosecutor’s Office or Mr/Ms. _________________, of News _________________;

That I, _________________ after seizing officer have recovered illegal items that are subject of the search warrant have arrested _________________ and immediately apprised him of his constitutional rights such as the right to remain silent, to have a competent and independent counsel preferably of his own choice and the right to inform such rights as well as the nature of his/her arrest;

The actual physical inventory, markings and taking of photographs of seized evidence were conducted at _________________ and witnessed by the suspect himself in the presence of Brgy. Chairman _________________ of Brgy _________________, and Mr/Ms/Atty. _________________, of City Prosecutor’s Office or Mr/Ms. _________________, of News _________________;

(In case of absence of either of the witnesses required, the same must be explained in the affidavits)

That the undersigned affixed his initial and signature as markings on the seized drugs. That all drug and non-drug evidence recovered were turned-over by the undersigned to the Investigator on case _________________ at _________________ of the same date for investigation and documentation.

That we brought the arrested suspect/s to our office for investigation and proper disposition. The arrested person was later brought to _________________ for medical/physical and laboratory screening test while the confiscated pieces of evidence were turned-over by the Investigator-on-case to _________________ at about _________________ of _________________, 20__ for chemical analysis;
That the arrested person was later identified as ________________, ____ years of age, a resident of ________________;

That anything not mentioned in this affidavit will be narrated during proper trial;

That I executed this affidavit to attest the truthfulness of the above narrated facts and to support our charge for violation of Sec ____ of Art II, RA 9165 against the above named suspect.

__________________________________
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ in __________, Philippines
ANNEX “A-19”

AFFIDAVIT OF INVESTIGATOR

Republic of the Philippines )
Quezon City ) S.S
x-------------------------------------x

AFFIDAVIT OF INVESTIGATOR

I, __________________________ of legal age, married and bonafide member of the Philippine National Police, presently assigned at ________________, after been duly sworn to in accordance with law do hereby depose and state:

That I am presently detailed with ____________________________, as Investigator;

That on ____________ at about ____________, our Unit implemented a ______________ operation at ________________________ which resulted to the confiscation of __________________________ and the arrest of the following suspects:

1. 
2. 
3. 

That the undersigned was designated as Investigator-On-Case of the said operation and have caused the preparation of the following documents:

a. 
b. 
c. 

That the pieces of drug related evidence recovered by the Seizing Officer (name of Seizing Officer) were turned over to me at _______ on __________ for investigation and documentation.

That on _____ at about ________, I turned over the drug related evidence to the ________________ for examination and custody and was received by ____________________.

That, the PDEA/PNP Laboratory Service issued an Initial Chemical Report No. __________ dated ________________ which gave positive result to the test ____________________________.

That, the arrested suspects were also turned over by the arresting officers to the undersigned for investigation. Suspects were brought to PNP Crime Laboratory Group for Medical and Physical Examination.

That, wherefore after investigation, the undersigned found probable cause against the arrested suspects (Name of the suspect/s) for violation of ______________________.
That I am executing this affidavit to attest to the truthfulness of the foregoing statements and to support the filling of appropriate charges against the suspects.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, I have hereto set my hand and affix my signature below this ____ day of ______ at __________________.

______________________________  
(Affiant)
ANNEX “A-20”
COMPLIANCE/RETURN OF SEARCH WARRANT

Republic of the Philippines
REGIONAL TRIAL COURT
Branch _______, City of _______

PEOPLE OF THE PHILIPPINES, SEARCH WARRANT NO. ____________
Plaintiff, For: Violation of Sec ____ of Art II, RA 9165
- versus- (State the Specific Violations)
__________________________,
Respondent.

x-------------------------------x

COMPLIANCE/RETURN OF SEARCH WARRANT

COMES NOW, the undersigned Police Inspector ____________ of the
___________________________, and unto this Honorable Court, most respectfully
return the original Search Warrant No. ____________ duly issued by this Honorable
Court dated ____________ and manifest that:

On __________ at about ____________, a Search Warrant issued by
this Honorable Court was served at the premises of the above-named respondent at
____________________. (Annex A)

The following articles, subject of the warrant, were found by the said office
during the search:

a.

b.

All the articles confiscated were under proper receipts and are now in the
custody of the undersigned.

WHEREOF, it is respectfully prayed of this Honorable Court that the return
of the Search Warrant No. ________ be accepted and granting the undersigned to
have the custody of the afore-cited articles until the termination of the investigation.

SUBSCRIBED AND SWORN to before me this ____ day of _________ in
__________, Philippines

________________________________
Applicant
ANNEX “A-21”
TURN-OVER OF ARRESTED SUSPECT

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

________________________ (Date)

Turn-Over of Arrested Suspect

We, ________________ and ________________ Arresting Officers properly turn-over to ________________ Investigator on case the living body of ________________ in good physical and mental condition. Said suspect/s was arrested during the buy-bust operation conducted by this Office on ________________ at about ____________ at ____________________.

Request acknowledge receipt.

Turned over by: ____________________________

Received by: ____________________________

________________________
Arresting Officer/s

________________________
Investigator on Case

________________________
Arresting Officer/s

Noted by: ____________________________

________________________
Chief, Investigation Section
Republic of the Philippines  
NATIONAL POLICE COMMISSION  
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE  
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE  
Camp Crame, Quezon City  

___________________ (Date)  

The Honorable  
City/Provincial Prosecutor  
_______________________  

Sir/Madam:  

Respectfully referred to your Office for Inquest are the pertinent records of investigation relative to a case for Violation of Section _______ Article II of RA 9165 otherwise known as Comprehensive Dangerous Drugs Act of 2002 committed on ____________, at about __________AM/PM at ____________________ by the following suspect/s listed below:  

A. SUSCEPTS: FOR VIOLATION OF SECTION ____  
   1. _____________________ of ______________________  
   2. _____________________ of ______________________  

B. COMPLAINANT/WITNESSES:  
   1. (Arresting Officer/s)- c/o _____________________  
   2. (Chemist) - c/o _____________________  
   3. (Barangay Official) - c/o _____________________  
   4. (DOJ Representative) - c/o _____________________  
   5. (Media Representative)- c/o _____________________  
   6. Others to be presented later.  

C. EVIDENCE/EXHIBITS:  
   1. Pre-Ops Report/Coordination dated _____________  
   2. SW # _______ issued by Hon. Judge _________, RTC Branch ___ dated __________  
   3. Certification of Orderly Search dated _____________  
   4. Application for the issuance of SW dated _____________  
   5. Affidavit of Arresting Officer/s dated _____________  
   6. Affidavit of Seizing Officer dated  
   7. Request for Laboratory Examinations of seized drugs, chemicals and precursors dated _____________  
   8. Result for Laboratory Examinations of seized drugs, chemicals and precursors dated _____________  
   9. Request for Physical/Medical Examinations of arrested suspect/s dated _____________
10. Result of Physical/Medical Examinations of arrested suspect/s dated

11. Request for laboratory screening test of the arrested suspect/s dated

12. Result of laboratory screening test of the arrested suspect/s dated

13. Pictures of Crime Scene

14. Booking/Information of arrested suspects dated

15. Pictures/Mag shots of arrested suspect/s with tag indicating the name, DTPO, offense and arresting unit

16. Pictures of Confiscated/seized evidence in the presence of the suspect/s and the witnesses

17. Receipt of Property Seized dated

18. Accomplished Chain of Custody Form dated

19. Certification of Orderly Search signed by the witnesses dated

20. Others to be presented later.

FACTS OF THE CASE:

Investigation revealed that on _____________, ________________ (Applicant of SW) together with his witness/es applied for Search Warrant before the sala of Hon. Judge __________ Presiding Judge, RTC Branch ____ against ___________, et al. for Violation of Sec. ___, Art. II, R.A 9165.

On ____________, Hon Judge ______________, Presiding Judge issued Search Warrant # ___________ against _____________, et al of ______________________ for Violation of Section ______, Art. II of RA 9165.

At about _______ of __________, the undersigned (Chief of Office) conducted final briefing regarding the implementation of the above-cited writ, wherein, ________________ designated as Team Leader, ____________ and ________________ were designated as Arresting Officers, while ________________ as Investigator on Case.

On the same date at about ____________, joint elements of this Unit, PDEA, CL, and ________________ implemented Search Warrant # ___________ at ________________ which resulted in the arrest of ____________, all of ______________________ and the confiscation/seizure of _______ kgs of Shabu, several assorted chemicals, precursors and equipments, apparatus and instruments being used in manufacturing of Shabu to wit:

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During the implementation of said writ, __________, (Arresting Officers) together with other operatives introduced themselves as Police Officers and ____________ read the contents of the said writ in the presence of the suspect/s, Elected Barangay Officials and DOJ representative or Media. Likewise, during the arrest, suspect/s were informed of the cause of their arrest and were apprised of
their Constitutional Rights such as the right to remain silent, to have a competent and independent counsel preferably of their own choice.

The search was conducted in an orderly manner in the presence of the suspects and witnessed by Brgy Captain.Kagawad _____________ and MR.________.

The actual physical inventory, markings and taking of photographs were conducted in the place of operation in the presence of the suspect and the representatives from the Department of Justice Prosecutor ________________, or Media_________________ and Brgy Captain/Kagawad__________________.

The arrested suspects were brought to ________ Headquarters in _____________ for investigation, proper documentations and disposition.

All confiscated/seized pieces of evidence were properly turned-over to Investigator on Case and were subsequently turned over to PNP-CLG for laboratory examination and custody.

PNP-CLG Chemistry Report No. __________ examined by ___________ and approved by ________________ dated __________ gave positive results for the test of dangerous drugs with a total weight of ________, essential chemicals and precursors.

This case will be presented by ____________________ Investigator on Case of this Office.

Request furnish this Office a copy of resolution thereof for our ready reference and please acknowledge receipt.

Very truly yours,

_________________________
ANNEX “A-23”
TURN-OVER OF CUSTODY

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

________________
(Date)

Turn-Over of Custody

City Warden
City Jail
__________ City

Sir,

Respectfully turned-over to your custody the living person of
__________, (Nationality), (Age), (Civil Status), and a resident of
__________, who was arrested during buy-bust operation conducted by this unit
on ________, at about __________ at ____________________.

Attached are the following records listed below for your reference and
perusal.

INCLUSIONS:

a. Commitment Order dated ______________
b. Information docketed I.S # ________ and CC #: ________.
c. Medical Result taken by PNP-CLS, Medico-Legal Div.
d. Booking/Information Sheet
e. Mug Shots of accused
f. Spot Report re: arrest of accused

Please acknowledge receipt.

Very truly yours,

___________________________
Chief of Office or Chief of Police
ANNEX “B”
BUY-BUST FORMS
ANNEX “B-1”
PRE-OPERATION CLEARANCE

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

PRE-OPERATION CLEARANCE

1. OPERATING UNIT/OFFICE _______________________

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<tr>
<th>RANK/NAME</th>
<th>MAKE/TYPe OF FIREARMS</th>
<th>SERIAL NUMBER</th>
<th>REMARKS (Nature of Issuance)</th>
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<tbody>
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<td>PCINSP JERRY SALAZAR</td>
<td>GLOCK 17/9MM</td>
<td>PNP092212</td>
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2. NUMBER/DESCRIPTION OF VEHICLES INVOLVED:

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<th>MAKE</th>
<th>COLOR</th>
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(Attachments: Coordination From 2 and 3, SW, etc)

3. NOTED BY:

__________________________
Chief, SAIDSOTG

4. RECOMMEND APPROVAL:

__________________________
Deputy, COP for Operations

5. APPROVED/DISAPPROVED:

__________________________
Chief of Police
ANNEX “B-2”
COORDINATION FORM

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

COORDINATION FORM

Control Number: _________________  Time/Date_________________

I. (To be accomplished by Coordinating Unit)
   a. Coordinating Unit  __________________________________
   b. Type of Operation: (Check Appropriate Box)

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<tr>
<th>Operation</th>
<th>Type</th>
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<tr>
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<tr>
<td>Casing</td>
<td>Search Warrant</td>
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<tr>
<td>Test Buy</td>
<td>Other(Specify)</td>
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</tbody>
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c. Duration of Operation: ______________________________________
d. Area/s of Operation: ______________________________________
e. Team Leader: ______________________________________
   (Rank/Surname/First Name/MI/Designation)
f. Number of Personnel Involved: ________________________________
g. Description of Vehicles Involved:

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(Signature over printed name)

II. (To be accomplished by receiving Agency/Territorial Police Unit)

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<th>DATE/TIME RECEIVED</th>
<th>NAME OF RECEIVING</th>
<th>NAME OF RECEIVING UNIT</th>
<th>SIGNATURE</th>
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Note: (To be accomplished in three (3) copies).
ANNEX “B-3”
PRE-OPERATION REPORT

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

PRE-OPERATION REPORT

Control Number: _________________ Time/Date: _________________

I. Unit/Office: ________________________________

II. Name of Target/s: ________________________________

III. Citizenship:
      ______ Filipino      ______ Foreigner

IV. Specific Area of Operation: ________________________________

V. Summary of Information: (stating briefly the target’s modus operandi)

   ______________________________________________________
   ______________________________________________________
   ______________________________________________________

VI. Other Requirements (to be submitted following the operation):

   - AFTER OPERATION REPORT (Shall be submitted within 24
     hours following the operations).

   - SPOT REPORT (Shall be submitted within six (6) hours after
     every operation whether the result is positive or negative).

   - PROGRESS REPORT (For positive result, should regularly be
     submitted depending on the developments).

______________________________
Team Leader or Chief, SAIDSOTG

ANNEXES 217
RECEIPT/INVENTORY FOR PROPERTY SEIZED FOR BUY-BUST

Date Accomplished: __________________

THIS IS TO CERTIFY that the undersigned has seized and taken the possession of the property of the herein below described from Mr./Ms. _________________, at ________________, during the conduct of Buy-Bust Operations. Seizure was done in the presence of Mr./Ms. _________________, _________________ and _________________ as witnesses, on ________________, 20__.  

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A copy of hereof was furnished to MR/MS ______________________ who was/were present during the inventory of the above described property/items/articles.

Signature over printed name
Seizing Officer/Poseur Buyer

WITNESS/ES TO INVENTORY:

1. __________________________
   Signature over printed name
   ________________
   Address
   ________________
   Time/Date

2. __________________________
   Signature over printed name
   ________________
   Address
   ________________
   Time/date
ANNEX “B-5”
VERIFICATION FORM

VERIFICATION

REPUBLIC OF THE PHILIPPINES
City/Province of ________________) ss

I, __________________________, of legal age, Filipino, bona fide member
of the PNP-AIDSOTF after being sworn in accordance with law, hereby depose and
say:

1. That I am the duly designated SEIZING OFFICER in the afore-mentioned
   anti-illegal drugs operation;

2. That I have caused the preparation of the above RECEIPT/INVENTORY
   OF THE PROPERTY SEIZED and I have read the same and know the
   contents thereof;

3. That the allegations contained therein are true and correct of my own
   personal knowledge, belief and based on authentic documents.

IN WITNESS WHEREOF, I have hereunto set my hands this ______, at
______________________________, Philippines.

___________________________
Affiant

SUBSCRIBED AND SWORN to before me this ___day of ________, 20__,
at ________________________, I further certify that I have personally examined the
affiant and I am convinced that he voluntary executed and understood his foregoing
statements.

___________________________
Administering Officer
ANNEX “B-6”
SUSPECT’S PERSONAL PROPERTY FORM

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

SUSPECT’S PERSONAL PROPERTY RECEIPT FORM

Date Accomplished: ___________________

This is to certify that the suspect's personal properties/valuables as property itemized and described below was received for safe keeping. The items are as follows:

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<th>Quantity</th>
<th>Items Detailed Description with Brand Name, Serial Number and other Identifiable Characteristics</th>
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Turned over by: ________________  Received by: __________
Time/Date: ________________  Time/Date: __________

Suspect’s acknowledgement: __________________________________________
(name and signature over printed name)

Witnessed by: ________________

Time/date: ________________
CHAIN OF CUSTODY FORM

Nature of Case: ________________________________________________
Name of Suspects/s: ________________________________________________
Time, Date and Place of Occurrence: ___________________________________
Arresting Officers / Operating Unit: _____________________________________
Description of Evidence/s: _________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
TURNED OVER BY : _________________________________

(Name and Designation)
Agency / Address : _________________________________________________
Time and Date : _________________________________
Remarks : _________________________________________________
 RECEIVED BY : _________________________________

(Name and Designation)
Agency / Address : _________________________________________________
Time and Date : _________________________________
Remarks : _________________________________________________
| TURNED OVER BY | : ____________________________________________ (Name and Designation) |
| Agency / Address | : ____________________________________________ |
| Time and Date | : ____________________________________________ |
| Remarks | : ____________________________________________ |

| RECEIVED BY | : ____________________________________________ (Name and Designation) |
| Agency / Address | : ____________________________________________ |
| Time and Date | : ____________________________________________ |
| Remarks | : ____________________________________________ |

| TURNED OVER BY | : ____________________________________________ (Name and Designation) |
| Agency / Address | : ____________________________________________ |
| Time and Date | : ____________________________________________ |
| Remarks | : ____________________________________________ |

| RECEIVED BY | : ____________________________________________ (Name and Designation) |
| Agency / Address | : ____________________________________________ |
| Time and Date | : ____________________________________________ |
| Remarks | : ____________________________________________ |
ANNEX “B-8”
BARANGAY CERTIFICATION

Republic of the Philippines
OFFICE OF THE BARANGAY CHAIRMAN
Barangay _____________

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at about operatives from the Philippine National Police, ___________________________ led by _______________________
conducted Buy-Bust Operation at ________________________________
on ___________________ 20______

That the said operation resulted in the arrest of the following person/s:

1. ____________________________, ________________________;
2. ____________________________, __________________________;
3. ____________________________, _________________________.

FURTHER CERTIFY that the operation was done in conformity with the law, no unnecessary force was employed, nobody was hurt nor was there anything lost nor property taken without official receipt.

_________________________________
Signature over printed name
Barangay Chairman

CONFORM:

_________________________________
Respondent

WITNESSES:

1. ____________________________  ____________________________
   Designation/Name/Signature  Office/Address/Telephone Number
2. ____________________________  ____________________________
   Designation/Name/Signature  Office/Address/Telephone Number
3. ____________________________  ____________________________
   Designation/Name/Signature  Office/Address/Telephone Number
PNP ARREST AND BOOKING SHEET
(To be accomplished by the Arresting Officer)

BLOTTER ENTRY NR. _________  DATE: ________

__________________________________________________________
(Last name)         (First Name)         (Middle Name)

ADDRESS: ______________________________________________________

MARITAL STATUS:    □ SINGLE   □ WIDOWER         SEX:    □ MALE
                   □ MARRIED   □ SEPARATED    □ FEMALE

AGE: ______  WEIGHT: ______  EYES: ______  HAIR: ______

COMPLEXION: ______  OCCUPATION: ______  NATIONALITY: ______

HIGHEST EDUCATIONAL ATTAINMENT: __________________________________

NAME OF SCHOOL: ________________________________________________

LOCATION OF SCHOOL: _____________________________________________

IDENTIFYING MARKS/CHARACTERISTICS: ________________________________

DRIVER’S LICENSE NUMBER: __________ ISSUED AT __________ ON ______

RES CERT NR.: ______________ DATE AND PLACE ISSUE: _______________

OTHER ID CARDS: ___________________________________ ID NR.: __________

NAME OF FATHER: ___________________________________ AGE: ___________

ADDRESS: ______________________________________________________

NAME OF MOTHER: ___________________________________ AGE: ___________

ADDRESS: ______________________________________________________

NAME AND ADDRESS OF PERSON TO BE NOTIFIED IN CASE OF EMERGENCY:

NAME: ________________________  RELATIONSHIP: _____________________

ADDRESS: ____________________ TEL #: _____________________________

LAWYER: _____________________ TEL #: _____________________________

DOCTOR: _____________________ TEL #: _____________________________

HEALTH PROBLEM: ________________________________________________

OFFENSE CHARGE: ________________________________________________

(NATURE OF OFFENSE)      (CRIM/IS NUMBER)

WHERE ARRESTED: ________________________________________________

DATE ARRESTED: ______________________ TIME: ______________________

NAME OF ARRESTING OFFICER/S: ______________________ UNIT: __________
MEDICAL EXAMINATION CONDUCTED AT: ______________________________

NAME OF PHYSICIAN: ____________________ ON: ____________________

FINGERPRINT TAKEN BY: ________________________________
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PHOTO TAKEN BY: ________________________________
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DUTY INVESTIGATOR: ________________________________
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BOOKED BY: ________________________________
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SIGNATURE OF PERSON ARRESTED: ________________________________
(INDICATE IF REFUSE TO SIGN)

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(ATTACHED MEDICAL EXAM; MUG SHOTS; TEN PRINTS OF SUSPECT/S)
ANNEX “B-10”
REQUEST FOR LABORATORY/CHEMICAL ANALYSIS

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Crime Laboratory Group
(Attn: Chief, Chemistry Division)

FROM : Team Leader, _____________________

SUBJECT : Request for Laboratory/Chemical Analysis

DATE : _________________________________

1. Respectfully request conduct of Laboratory/Chemical Analysis to the accompanying specimen describe below:

   A. EVIDENCE SUBMITTED:

   __________________________________________________________

   B. NAME OF SUSPECT(S):

   __________________________________________________________

   C. NATURE OF OPERATION:

   __________________________________________________________

2. Further request copy of examination result as part of our documentary requirements filing of appropriate case in court.

3. For your consideration.

   __________________________________________________________
   Police Inspector

Received by:

   __________________________
   Signature

   __________________________
   Rank/Name

   __________________________
   Date/Time
ANNEX “B-11”
REQUEST FOR LABORATORY SCREENING TEST

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Crime Laboratory Group
       (Attn: Chief, Chemistry Division)
FROM : Team Leader, _____________________
SUBJECT : Request for Laboratory Screening Test
DATE :

1. Reference: Sec. 38 of Republic Act 9165.
2. Respectfully request conduct of Laboratory Screening Test on the living person of __________________________, of legal age, and presently residing at _____________________, on account of physical signs or symptoms or other visible or outward manifestation, that he/she is under the influence of dangerous drugs. If found positive, request conduct confirmatory test.
3. Said person was arrested by this Unit during the Buy-Bust operation conducted at about ______________ AM/PM of ____________, 20___ at _____________________________________________________.
4. Further request furnish this Office the result thereof for our investigative and future reference.
5. For your consideration.

_______________________
Police Inspector

Received by:

_______________________
Signature

_______________________
Rank/Name

_______________________
Date/Time
MEMORANDUM

FOR : Director, Crime Laboratory Group
      (Attn: Chief, Medico-Legal Division)

FROM : Team Leader, _____________________

SUBJECT : Request for Physical/Medical Examination

DATE : _____________________________

1. Respectfully request conduct of Physical/Medical Examination on the living person of ____________________________, of legal age, and presently residing at ____________________________.

2. Said person was arrested by this Unit during the Buy-Bust operation conducted at about ___________ AM/PM of ____________, 20___ at ____________________________.

3. Further request furnish this Office the result thereof for our investigative and future reference.

4. For your consideration.

__________________________________________
Police Inspector

Received by:

__________________________
Signature

__________________________
Rank/Name

__________________________
Date/Time
ANNEX “B-13”
REQUEST FOR POWDER DUSTING

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Crime Laboratory Group
(Attn: Chief, Physical Identification Division)

FROM : Team Leader, _____________________

SUBJECT : Request for Powder Dusting

DATE : 

1. Respectfully request conduct powder dusting to the accompanying specimen described below:

   - Two (2) pieces of genuine one thousand peso bills with Serial numbers, EC 951176 and EY861216

2. Said bills shall be used in a possible buy-bust operation.

3. Please acknowledge receipt.

Police Inspector

Received by:

Signature

Rank/Name

Date/Time

ANNEXES 229
MEMORANDUM

FOR : Director, Crime Laboratory Group (Attn: Chief, Physical Identification Division)

FROM : Team Leader, _____________________

SUBJECT : Request for Determination of Presence of Fluorescent Power

DATE :

1. Respectfully request conduct of physical identification to determine presence of fluorescent powder on the living person of ____________, of legal age, and presently residing at _____________________.

2. Said person was arrested by this Unit during the Buy-Bust operation conducted at about _____________ AM/PM of ________________, 20____ at _____________________________________.

3. Further request furnish this Office the result thereof for our investigative and future reference.

4. For your consideration.

__________________________________
Police Inspector

Received by:

______________________________
Signature

______________________________
Rank/Name

______________________________
Date/Time
AFFIDAVIT OF POSEUR-BUYER

Republic of the Philippines
Quezon City ) S.S
x-------------------------------------x

AFFIDAVIT OF POSEUR-BUYER

I, the undersigned, a bonafide member of the Philippine National Police (PNP) presently assigned with __________________________ with office address at __________________________, after having duly sworn to in accordance with law do hereby depose and state;

(FACTS OF THE CASE/CHRONOLOGY OF EVENTS)

The actual physical inventory, markings and taking of photographs were conducted at _________________ and witnessed by the suspect himself in the presence of Brgy. Chairman/Kagawad _______________ of Brgy ________________, and Mr/Ms/Atty. ________________, of City Prosecutor’s Office or Mr/Ms. ________________, of News ________________;

(In case of absence of either of the witnesses required, the same must be explained in the affidavits)

That the undersigned affixed his initial and signature as markings on the seized drugs. That all drug and non-drug evidence recovered were turned-over by the undersigned to the Investigator on case _________________ at _________________ of the same date for investigation and documentation.

That we brought the arrested suspect/s to our office for investigation and proper disposition. The arrested person was later brought to _________________ for medical/physical and laboratory screening test while the confiscated pieces of evidence were turned-over by the Investigator-on-case to _________________ at about _________________ of _________________, 20__ for chemical analysis;

That the arrested person/s was/were later identified as _________________, ___ years of age, and a resident of ________________;

Laboratory report no. dated __________, examined by ______________
gave the following result:

That anything not mentioned in this affidavit will be narrated during proper trial;

That I executed this affidavit to attest the truthfulness of the above narrated facts and to support our charge for violation of Sec ____ of Art II, RA 9165 against the above named suspect.

___________________________
Affiant

SUBSCRIBED AND SWORN to before me this _____ day of ________ in __________, Philippines
AFFIDAVIT OF ARRESTING OFFICER (BUY-BUST)

I, the undersigned, a bonafide member of the Philippine National Police (PNP) presently assigned with ________________________________ with office address at ________________________________, after having duly sworn to in accordance with law do hereby depose and state;

(FACTS OF THE CASE/CHRONOLOGY OF EVENTS)

That on ________________ at about __________, our _______ and _________ met with ______________ and proceeded at ______________. After several minutes ______________ activated the pre arranged signal. Then and there, I immediately rushed to the scene and we introduced ourselves as ______________ operatives and arrested the suspect/s. We then apprised the suspect/s of his/their constitutional rights but they opted to remain silent;

The actual physical inventory, markings and taking of photographs were conducted ______________ and witnessed by the suspect himself in the presence of Brgy. Chairman __________________ of Brgy ______________, and Mr/Ms/Atty. __________________, of City Prosecutor’s Office or Mr/Ms. ______________, of News __________________;

(In case of absence of either of the witnesses required, the same must be explained in the affidavits)

That we brought the arrested suspect/s to our office for investigation and proper disposition. The arrested person was later brought to ______________ for medical/physical and laboratory screening test while the confiscated pieces of evidence were turned-over by the Investigator-on-case to ______________ at about ______________ of ______________, 20__ for chemical analysis;

That the arrested person/s was/were later identified as ________________, _____ years of age, and a resident of ______________;

That anything not mentioned in this affidavit will be narrated during proper trial;

That I executed this affidavit to attest the truthfulness of the above narrated facts and to support our charge for violation of Sec ____ of Art II, RA 9165 against the above named suspect.

___________________________
Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _________ in __________, Philippines
ANNEX “B-17”

AFFIDAVIT OF INVESTIGATOR

Republic of the Philippines )
Quezon City ) S.S
x-------------------------------------x

AFFIDAVIT OF INVESTIGATOR

I, _____________________________ of legal age, married and bonafide member of the Philippine National Police, presently assigned at ____________________________, after being duly sworn to in accordance with law do hereby depose and state:

That I am presently detailed with ____________________________, as Investigator;

That on ____________ at about ___________, our Unit conducted a __________________ operation at __________________________ which resulted to the confiscation of _____________________________ and the arrest of the following suspects:

1. 
2. 
3. 

That the undersigned was designated as Investigator on case of the said operation and have caused the preparation of the following documents:

a. 
b. 
c. 

That the pieces of drug related evidence recovered by the Seizing Officer (name of Seizing Officer) were turned over to me at _______ on __________ for investigation and documentation.

That on _____ at about ______, I turned over the drug related evidence to the ___________________________ for examination and custody and was received by ____________________________.

That, the PDEA/PNP Laboratory Service issued an Initial Chemical Report No. ___________ dated ________________ which gave positive result to the test ____________________________.

That, the arrested suspects were also turned over by the arresting officers to the undersigned for investigation. Suspects were brought to PNP Crime Laboratory Group for Medical and Physical Examination.

That, wherefore after investigation, the undersigned found probable cause against the arrested suspects (Name of the suspect/s) for violation of ____________________________.
That I am executing this affidavit to attest to the truthfulness of the foregoing statements and to support the filling of appropriate charges against the suspects.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, I have hereto set my hand and affix my signature below this ______ day of ______ at ___________________.

________________________________
(Affiant)
ANNEX “B-18”
TURN-OVER OF ARRESTED SUSPECT

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

(Date)

Turn-Over of Arrested Suspect

We, _______________ and ______________ Arresting Officers properly turn-over to __________________________ Investigator on case the living body of _______________ in good physical and mental condition. Said suspect/s was arrested during the buy-bust operation conducted by this Office on _______________ at about _________ at __________________.

Request acknowledge receipt.

Turned over by:     Received by:
__________________               _________________
Arresting Officer/s    Investigator on Case
________________________
Arresting Officer/s

Noted by:

_______________________
Chief, Investigation Section
ANNEX “B-19”
CASE REFERRAL (BUY-BUST)

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

____________________
(Date)

The Honorable
City/Provincial Prosecutor

____________________

Sir/Madam:

Respectfully referred to your Office for Inquest are the pertinent records of investigation relative to a case for Violation of Section _____ Article II of RA 9165 otherwise known as Comprehensive Dangerous Drugs Act of 2002 committed on _______________ at about ___________AM/PM at __________________ by the following suspect/s listed below:

A. SUSPECTS:

FOR VIOLATION OF SECTION ____

1. _____________________ of ______________________
2. _____________________ of ______________________

B. COMPLAINANT/WITNESSES:

1. (Arresting Officer/s) - c/o _____________________
2. (Chemist) - c/o _____________________
3. (Barangay Official) - c/o _____________________
4. (DOJ Representative) - c/o _____________________
5. (Media Representative) - c/o _____________________
6. Others to be presented later.

C. EVIDENCE/EXHIBITS:

1. Pre-Ops Report/Coordination dated ______________
2. Affidavit of Poseur-Buyer/Seizing Officer dated ______________
3. Affidavit of Arresting Officer/s dated ______________
4. Request for Laboratory Examinations of seized drugs, chemicals and precursors dated ______________
5. Result for Laboratory Examinations of seized drugs, chemicals and precursors dated ______________
6. Result of Physical/Medical Examinations of arrested suspect/s dated ______________
7. Request for Laboratory Screening Test of the arrested suspect/s dated ______________
8. Result of laboratory screening test of the arrested suspect/s dated ____________

9. Pictures of Crime Scene

10. Booking/Information of arrested suspects dated ____________

11. Pictures/Mug shots of arrested suspect/s with tag indicating the name, DTPO, offense and arresting unit

12. Pictures of Confiscated/seized evidence in the presence of the suspect/s and the witnesses

13. Receipt of Property Seized dated ____________

14. Accomplished Chain of Custody Form dated ____________;

15. Barangay Certification signed by the witnesses dated ____________

16. Others to be presented later.

FACTS OF THE CASE:

On or about _________________, elements of this Unit conducted buy-bust operations at _______________________________ which resulted in the arrest of _______________________________ all of _______________________________ and the confiscation/seizure of _____ kgs of Shabu, drug paraphernalia and other assorted instrument to wit:

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The actual physical inventory, markings and taking of photographs were conducted in the place of operation in the presence of the suspect and the representatives from the Department of Justice Prosecutor ________________, or Media _________________________________ and Brgy Chairman/Kagawad ________________.

The arrested suspects were brought to ________________ Headquarters in ________________ for investigation, proper documentations and disposition.

All confiscated/seized pieces of evidence were properly turned-over to Investigator on Case and were subsequently turned over to PNP-CLG for laboratory examination and custody.

PNP-CLG Chemistry Report No. ________ examined by _______________ and approved by ________________ dated ___________ gave positive results for the test of dangerous drugs with a total weight of ________.

This case will be presented by ________________________ Investigator on Case of this Office.
Request furnish this Office a copy of resolution thereof for our ready reference and please acknowledge receipt.

Very truly yours,

_________________________
ANNEX “B-20”
TURN-OVER OF CUSTODY

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

___________________________ (Date)

Turn-Over of Custody

City Warden
City Jail
___________ City

Sir,

Respectfully turned-over to your custody the living person of
______________________________, (Nationality), (Age), (Civil Status), and a resident of
______________, who was arrested during buy-bust operation conducted by this unit
on ________, at about __________ at ____________________.

Attached are the following records listed below for your reference and
perusal.

INCLUSIONS:

a. Commitment Order dated ______________
b. Information docketed I.S # __________ and CC #: __________.
c. Medical Result taken by PNP-CLS, Medico-Legal Div.
d. Booking/Information Sheet
e. Mug Shots of accused
f. Spot Report re: arrest of accused

Please acknowledge receipt.

Very truly yours,

___________________________
Chief of Office or Chief of Police
ANNEX “C”
OTHER FORMS
SUMMARY OF INFORMATION

SUBJECT :

AFFILIATION :

OFFENSE COMMITTED :

PERSONAL DATA:

Name :
Age :
DOB/POB :
Gender :
Nationality :
Civil Status :
Skill :
Religion :
Blood Type :
Complexion :
Height/weight :
Marks :
Ethnic :
Present Address :
 Provincial Address :
Present Employment :
Previous Employment :
Date of Employment :
Education :
Spouse/Employment :
Children :

OTHER INFORMATION :
ANNEX “C-2”
AFTER SURVEILLANCE REPORT

Republic of the Philippines
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

AFTER SURVEILLANCE REPORT

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SUBJECT : 

TO : 

I. INTRODUCTION

a. DATE/TIME
b. DURATION OF SURVEILLANCE
c. SURVEILLANT/S (Include time each entered into operation)
d. IDENTITY OF SUBJECT/S UNDER SURVEILLANCE
e. AGENCIES / PERSONS WHO ASSISTED / INVOLVED IN THE OPERATION (if any)
f. TYPE OF SURVEILLANCE
g. GENERAL AND SPECIFIC LOCATION/PLACE INVOLVED

II. GENERAL DESCRIPTION OF SUBJECT (Physical characteristics, mannerism, peculiarities and habits. Attach subject’s photograph)

III. DETAILED CHRONOLOGICAL ACCOUNT OF ACTIVITIES (Main body of the report)

IV. DESCRIPTION OF CONTACT/S

V. DESCRIPTION OF BUILDING CONCERNED

VI. TIME-OFF AND REASON FOR TERMINATION OF SURVEILLANCE

(Reportee)
CONTACT MEETING REPORT

__________________________

(DATE)

TO : 
FROM :
REFERENCE :

A. MEETING
   DATE/TIME:
      Actual   -
      Scheduled -

B. PLACE OF INITIAL MEETING/CONTACT:
   Actual   -
   Scheduled -

C. PLACE OF TRANSFER MEETING:
   Actual   -
   Scheduled -

D. REASONS FOR DEVIATION IN ABOVE SCHEDULE:
   1. 
   2. 

E. VISUALS SIGN USED:
   1. 
   2. 

F. VIOLATIONS IN VISUAL SIGNS, if any:
   1. 
   2. 

G. COVER USED:
   Action Handlers (AH)
   Action Agents (AA)

H. UNUSUAL BEHAVIOR OF AA OBSERVED DURING THE MEETING:

I. PROBLEMS BROUGHT OUT BY THE AA AND SOLUTIONS MADE BY THE AGENT HANDLER:
J. INFORMATION AND OPERATIONAL DATA GATHERED:

Indicate source and details on how the info was gathered by the Action Agent.

K. NEXT MEETING:

a. REGULAR PLAN
   1. Date/Time/Place

b. ALTERNATE PLAN
   1. Date/Time/Place

c. EMERGENCY PLAN

d. COVER STORY
   1. Agent Handler
   2. Action Agent

e. VISUAL SIGNS
   1. Safety
   2. Danger

f. INSTRUCTION(s)

________________________
(Signature over printed name)
Agent Handler
MONTHLY MEETING REPORT

(Appears: (DATE))

A. INTRODUCTION:

This is a periodic Development Report of COPLAN (COPLAN CODE) of (Unit) _____________________ targeting (State target/s) ___________________. This report covers the period (Inclusive dates/month) ___________________.

B. DEVELOPMENTS:

C. AGENT ACQUISITION/TERMINATION

Where the Action Agent (s) (spotted or acquired during the period? If so, who are they and give details on their backgrounds.

Where the Action Agent(s) terminated during the period? If so, who are they and give details behind the termination.

D. OPERATIONAL ACTIVITIES OF THE AA FOR THE PERIOD

Information gathered by the AA.

E. INFORMATION ACQUISITION – Analysis and assessment of the information gathered by the AA during the period.

Counteractions initiated or launched by the unit as a consequence of the information obtained to include results of the counteraction.

F. PROBLEMS – What were the problems encountered by the Case Officer, Principal Agent, Agent Handler, Support Agent and Action Agent(s) during the period? What actions have been undertaken or will be undertaken to solve the problems? (Problem to be indicated herein should be operation-related)

G. PLANS – What specific plans or program of action are to be undertaken by the Action Agent(s) in the succeeding period?

H. CONCLUSION – Case Officer's conclusion on the project's current operation status. Determine whether the COPLAN is still viable or not.

_________ (Case Officer)
Report prepared by CASE OFFICER and endorsed by COPLAN Supervisor to be submitted NLT the 12th day of the succeeding month. The MDR should be the summaries of all the CMRs for the month and can be prepared after completing the CMRs.

(NOTE: THE SPECIAL PROJECT REVIEW BOARD (SPRB) reserves the right to recommend the suspension or outright termination of the COPLAN for failure to comply with the above basic reports. All COPLAN-related reports shall be submitted “SAFEHAND” according to the provision of PNP R-200-012).
Republic of the Philippines  
NATIONAL POLICE COMMISSION  
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE  
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE  
Camp Crame, Quezon City

___________________________  
(DATE)

Dear Sir/Madam:

This pertains to the ____________________ conducted by our unit, PNP _______________ at ___________ on __________________ at about _____________________.

Sec 21 of Art II of RA 9165 or the Comprehensive Dangerous Drug Act of 2002 as amended by RA 10640, expressly requires your presence during the conduct of physical inventory and taking of photographs of the drug evidence seized immediately after seizure and confiscation to protect the integrity and evidentiary value of the evidence.

In this regard, we humbly request your presence now to witness the conduct of physical inventory and taking of photographs of evidence seized from the suspect/s at _____________________________ (nearest police station/office).

Hoping for your utmost consideration on our request.

___________________________  
(Investigator On Case)

Received by:

___________________________  
Name

___________________________  
Date Received
ANNEX “C-6”
REQUEST FOR DIGITAL FORENSIC EXAMINATION

Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE

MEMORANDUM

FOR : Director, ACG
(Attn: C, DFL)

FROM :

SUBJECT : Request for Digital Forensic Examination

DATE :

1. References:
2. Request that Anti-Cyber Crime Group, conduct digital forensic examination on the accompanying specimen specifically describe on the attached Digital Forensic Examination Request Form.
3. Background of the case with the following information:
   a. NATURE OF CASE :
   b. VICTIM :
   c. SUSPECT :
   d. TDPO :
4. Facts of the Case: _____________________________________________
   ___________________________________________________________________
   ___________________________________________________________________
5. Herewith is/are the required storage media necessary for the digital forensic examination:

<table>
<thead>
<tr>
<th>Submitted Digital Media For Examination</th>
<th>Required Storage Media</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cellular Phone</td>
<td>2 pcs DVD-R with case</td>
</tr>
<tr>
<td>Computer System Unit/ hard Drive and Other storage media</td>
<td>External Storage Media or Hard Drive, which capacity must br twice the capacity of evidence submitted storage media</td>
</tr>
</tbody>
</table>
6. The bearer of this request is _______________ Investigator-On-Case.

Note:

a. (For cases from Region 3, 4A, and NCR must be delivered personally by the Investigator-On-Case); and
b. (For cases from other Regions preferably delivered by Investigator-On-Case or Liaison Officer.)

7. Further request that this office be furnished a copy of the ACG digital forensic examination result for our reference.

(Chief of Office/Team Leader)

Received by:

Signature

Rank/Name

Date/Time
ANNEX “C-7”
ACG CHAIN OF CUSTODY FORM

Republic of the Philippines
National Police Commission
PHILIPPINE NATIONAL POLICE
ANTI-CYBERCRIME GROUP
Camp Crame, Quezon City

Digital Forensic Laboratory
FORM A-8: CHAIN OF CUSTODY FORM

<table>
<thead>
<tr>
<th>Item Number</th>
<th>Quantity</th>
<th>Description of Evidence (Manufacture, Model #, S/N, condition, marks/scratches, distinguishing characteristic, etc)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Received By: (Rank/Name)  Received From: (Rank/Name)
Signature:                Signature:

CHAIN OF CUSTODY

<table>
<thead>
<tr>
<th>Item #</th>
<th>Date/time</th>
<th>Received From:</th>
<th>Received By:</th>
<th>Reason:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Type/Print</td>
<td>Signature:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>Type/Print</td>
<td>Signature:</td>
<td></td>
</tr>
</tbody>
</table>

Form A-B
Version 20140519
For Official Use Only
Page_of_
Approved 19 May 2014
## ANNEX “C-8”

**VEHICLE TECHNICAL INSPECTION AND INVENTORY REPORT FORM**

**HEADQUARTERS PHILIPPINE NATIONAL POLICE**  
**ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE**  
**Camp Crame, Quezon City**

**LEGAL AND INVESTIGATION DIVISION**  
**Vehicle Technical Inspection and Inventory Report**

<table>
<thead>
<tr>
<th>DATE ACCOMPLISHED</th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>MOTOR VEHICLE DESCRIPTION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>MAKE/TYP</td>
</tr>
<tr>
<td>ENGINE NO.</td>
</tr>
<tr>
<td>CHASSIS NO.</td>
</tr>
<tr>
<td>REGISTERED OWNER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>OUTSIDE FEATURES AND FRONT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>BUMPER FRONT</td>
</tr>
<tr>
<td>BRAND EMBLEM MARKING</td>
</tr>
<tr>
<td>RADIATOR GRILL</td>
</tr>
<tr>
<td>SIGNAL LIGHTS</td>
</tr>
<tr>
<td>HAZZARD LIGHTS L/R</td>
</tr>
<tr>
<td>HEADLIGHTS GUARD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>LEFT SIDE PORTION</strong></th>
<th><strong>RIGHT SIDE PORTION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>SIDE MIRROR</td>
<td>SIDE MIRROR</td>
</tr>
<tr>
<td>WIND TUNNEL GLASS</td>
<td>WIND TUNNEL GLASS</td>
</tr>
<tr>
<td>WINDOW GLASS FRONT SEAT</td>
<td>WINDOW GLASS FRONT SEAT</td>
</tr>
<tr>
<td></td>
<td>WEATHER/WINDOW STRIP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>REAR BACK PORTION</strong></th>
<th><strong>LUGGAGE COMPARTMENT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>REAR BUMPER</td>
<td>SPARE TIRE</td>
</tr>
<tr>
<td>BRAND EMBLEM MARKING</td>
<td>SPARE TIRE MOUNTING</td>
</tr>
<tr>
<td>PALTE LIGHT</td>
<td>FLOOR LUGGAGE MAT</td>
</tr>
<tr>
<td>TAIL ASSEMBLY</td>
<td>MECHANICAL TOOLS</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>TIRES:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>BRAND/MAKE:</td>
</tr>
<tr>
<td>SIZE:</td>
</tr>
<tr>
<td>CONDITION:</td>
</tr>
<tr>
<td>TYPE:</td>
</tr>
<tr>
<td>NO. OF STUDS:</td>
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</table>

<table>
<thead>
<tr>
<th><strong>GENERAL CONDITIONS OF THE MV</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>RUNNING</td>
</tr>
<tr>
<td>DEADLINE</td>
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<table>
<thead>
<tr>
<th><strong>REMARKS</strong></th>
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<table>
<thead>
<tr>
<th><strong>INSPECTION CONDUCTED BY:</strong></th>
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</thead>
<tbody>
<tr>
<td>Component</td>
</tr>
<tr>
<td>---------------------------------</td>
</tr>
<tr>
<td>STEERING WHEEL</td>
</tr>
<tr>
<td>SHIFTING ROD WITH KNOB</td>
</tr>
<tr>
<td>HAND BREAK</td>
</tr>
<tr>
<td>AMMETER</td>
</tr>
<tr>
<td>OIL PRESSURE GUAGE</td>
</tr>
<tr>
<td>TEMPERATURE GUAGE</td>
</tr>
<tr>
<td>RPM GUAGE</td>
</tr>
<tr>
<td>PARKING/HAZARD KNOB</td>
</tr>
<tr>
<td>WIPER KNOB</td>
</tr>
<tr>
<td>DIMMER SWITCH</td>
</tr>
<tr>
<td>DIRECTORIAL LEVEL</td>
</tr>
<tr>
<td>SPEEDOMETER</td>
</tr>
<tr>
<td>FUEL GUAGE</td>
</tr>
<tr>
<td>CAR SEATS FRONT</td>
</tr>
<tr>
<td>CAR SEAT BACK</td>
</tr>
<tr>
<td>FLOOR CARPET</td>
</tr>
<tr>
<td>FLOOR MATTING</td>
</tr>
<tr>
<td>STEERING WHEEL</td>
</tr>
<tr>
<td>COMPUTER BOX</td>
</tr>
<tr>
<td>SEAT ADJUSTMENT KNOB</td>
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<tr>
<td>ACCESSORIES</td>
</tr>
<tr>
<td>AIRCONDITION UNIT</td>
</tr>
<tr>
<td>CARS STEREO</td>
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<tr>
<td>INTERCEPTOR CABLE</td>
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<tr>
<td>STEREO SPEAKERS</td>
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<td>TWITTERS</td>
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<tr>
<td>CAR RADIO</td>
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<tr>
<td>EQUALIZER</td>
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<tr>
<td>CD CHANGER</td>
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<tr>
<td>LIGHTER</td>
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<tr>
<td>BAROMETER</td>
</tr>
<tr>
<td>FIRE EXTINGUISHER</td>
</tr>
<tr>
<td>ANTENNAE</td>
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## General Appearance

<table>
<thead>
<tr>
<th>Description</th>
<th>Part</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newly Painted</td>
<td>Intake Manifold</td>
</tr>
<tr>
<td>Paint Discoloring</td>
<td>Exhaust Manifold</td>
</tr>
<tr>
<td>Good Body Shape</td>
<td>Engine Mounting</td>
</tr>
<tr>
<td>Body in Bad Shape</td>
<td>Ignition Writing</td>
</tr>
<tr>
<td>For Repainting</td>
<td>Suspension Assembly</td>
</tr>
<tr>
<td>Beyond Economical Repair and Corrosion Have Set In Which Requires Major Body Repair</td>
<td>Tie Rod End, Idler Arm, Front Coil, Pitman Arm</td>
</tr>
</tbody>
</table>

## Recovery Apprehending Officer

<table>
<thead>
<tr>
<th>Recovery Apprehending Officer</th>
<th>Evidence Custodial Officer</th>
<th>Witness/Owner</th>
<th>Noted By</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date: Date: Date: Date:

---

**Inspection Conducted By:**

---

HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI-ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City

LEGAL AND INVESTIGATION DIVISION
Vehicle Technical Inspection and Inventory Report
REFERENCES

LAWS ON LEGAL ISSUANCES:

• The 1987 Philippine Constitution;

• Republic Act No. 9165, otherwise known as “The Comprehensive Dangerous Drugs Act of 2002” and its IRR;

• Republic Act 10640 (An Act to further strengthen the anti-drug campaign of the government, amending for the purpose Section 21 of RA 9165);

• Republic Act 6975 as amended by RA 8551;

• Republic Act 9160, otherwise known as the “Anti-Money Laundering Act of 2001 (AMLA)”, as amended and its IRR;

• Republic Act No. 9344 or the “Juvenile Justice and Welfare Act of 2006” and its IRR;

• Republic Act No 7438 – An Act Defining Rights of Persons Arrested Detained or under Custodial Investigation;

• Republic Act 8792 – E-Commerce Law;

• Republic Act No 4200-Anti-Wire Tapping Law;

• 1997 Revised Rules of Court on Criminal Procedure;

• DOJ Related Opinions; and
• Administrative Order No. 253 by the President of the Philippines, dated January 29, 2009.

SUPREME COURT DECISIONS:

• Supreme Court Decisions;
• Supreme Court A.C. No 19, dated August 4, 1987; and
• Supreme Court A.C. No 08-4-4-SC, dated July 7, 2009.

NAPOLCOM ISSUANCE:

• NAPOLCOM Memorandum Circulars

PNP ISSUANCES:

• PNP LOI Kontra Droga Charlie;
• PNP Memorandum Circulars and Related Issuances;
• Revised Police Operational Procedures, 2013;
• Revised PNP Crime Laboratory Standard Operating Procedures;
• PNP Maritime Seaborne Law Enforcement Operational Procedures;
• PNP Manual on the Management of Cases of Children in Conflict with the Law; and
• ACG Pamphlet on Guide for Identification, Seizure and Handling of Electronic Evidence.
DDB AND PDEA ISSUANCES:

- DDB Regulations and Amendments to the IRR of RA 9165 (2002-2010); and
- PDEA Manual on Anti-Illlegal Drugs Operations.

MEMORANDUM OF AGREEMENT:

- Memorandum of Agreement between PNP and PDEA; and
- MOA on the Creation of NAIA-IADITG.
TECHNICAL WORKING GROUP

PSSUPT BENJAMIN M. LUSAD
Chairman

AIDSOTF

PSSUPT BENIGNO B. DURANA, JR
Vice Chairman

DO-LED

PSUPT LEONARDO R. SUAN
Co-Vice Chairman

AIDSOTF

Members

PSUPT MARLON S. SAPLA
IOD DI

PSUPT ARNOLD P ARDIENTE
CMD DIDM

PSUPT WILSON C. ASUETA
CIDG

PSUPT NARCISO D. DOMINGO
AVSEGRP

PSUPT BEATRIZ S. LISING
AIDSOTF

PCINSP VICTOR C. DRAPETE
CLG

PCINSP JAY D. GUILLERMO
ACG

PCINSP ROQUE A. MERDEGIA, JR.
LS-AIDSOTF

PCINSP EMMANUEL S. ENRIQUEZ
HRAO

PSINSP ALIASGAR T. ABDULLAH
MG

PSINSP CATHERINE E. TAMAYO
WCPD

Advisers:

PSSUPT BARTOLOME CONFESOR TOBIAS

REP. LEOPOLDO NALUPA BATAOIL
SECRETARIAT/TECHNICAL SUPPORT STAFF

PSUPT JENNIFER D BONJOC  Head
PINSP MICHAEL ANGELO C SALMINGO  Action Officer
PINSP SALLY B SEGWABEN  Action Officer
SPO3 Jose Rey D Serrona  Action PNCO
SPO1 Roderick F Quiton  Research PNCO
SPO1 Jerry G Badillo  Finance PNCO
PO3 Mae Heart L Marquilencia  Records PNCO
PO3 Marianito Carpio  IT PNCO
PO3 Junvi Melchor  IT PNCO

PNP AIDSOTF STUDY GROUP

PSUPT LEONARDO R SUAN  Chairman
PCINSP ROQUE A MERDEGIA, JR.  Vice Chairman
PCINSP MANUEL M CUBE  Member-SOU3
PSINSP HAROLD M AGLIPAY  Member -ARMD
PSINSP EVANGELINE V MORALES  Member -OPD
PSINSP FERDINAND Y GUZMAN  Member -IFLD
PINSP MICHAEL ANGELO C SALMINGO  Member -LID
PINSP KENETH S BAUTISTA  Member -SOU1
SPO1 Enrico C Calva  Member -IFLD/SPT
SPO1 Roderick F Quiton  Researcher - LID
PO3 Mae Heart L Marquilencia  Encoder - ARMD
“Learning without **THOUGHT** is labor lost; thought without **LEARNING** is perilous.”

- Confucius
VISION

By 2020, the PNP-AIDSOTF shall be a highly capable, effective and credible drug enforcement Unit working in partnership with a supportive community to help achieve a drug-free Philippines.

MISSION

To conduct intensified anti-illegal drugs operations, ensure the successful prosecution of drug cases and enhance public awareness on the harmful effects of dangerous drugs in partnership with the community.

FUNCTIONS

1. Dismantling of clandestine laboratories, neutralization of drug personalities (pushers/users/traffickers) and eradication of marijuana plantations.

2. Conduct counter-intelligence operations against PNP personnel, other government officials/employees engaged in drug abuse, trafficking, and other irregularities in drug-related activities.

3. Effective investigation of drug cases.

4. Promotion of public awareness on the ill effects of dangerous drugs.

5. Strengthen coordination with local and foreign counterparts through exchange of intelligence and joint investigations.

6. Continuous capacity enhancement program for PNP anti-drug operatives.