MESSAGE

It is with great pleasure that I congratulate the Narcotics Group for coming out with its own set of standards peculiar to the professional duties and responsibilities of the drug enforcers. The Narcotics Group Manual of Operations best embodies the ideas and aspirations of the PNP.

The publication of this Manual is a major contribution in encouraging the mastery of the fundamentals of drug enforcement. This is as vital as it is important in the performance of one's duty.

Through this handbook, therefore, which is designed to guide members of the drug enforcement unit, it is my hope that they become more conscious of their role in making our communities peaceful and prosperous.

In behalf of the DILG family, I commend the Narcotics Group for this noteworthy endeavor.

Mabuhay!

ROLANDO PUNO
Secretary
FOREWORD

The world today is facing a difficult time in its crusade against drug addiction and abuse. Our country, for one, is resisting vigorously the vicious clutches of social malady brought about by the proliferation of narcotics distribution and addiction. The menacing ghost of drug abuse has seeped into our social mainstream with such force and gruesome impact that it has finally roused us from lethargic state.

The cry of action against this serpent is resounding everywhere. On your shoulders lies the bulk of responsibility of saving the citizenry from the debilitating clutches of drug addiction. Also, you are bestowed with awesome task of combating narcotics syndicates and organizations whose tentacles of terror threaten to grow out of proportion.

This manual is a vital tool in carrying out your precise task.

EDMUNDO L. LARROZA
Police Deputy Director
General
Officer-In-Charge, PNP
PREFACE

The central purpose of this new Drug Enforcement Manual has been prompted by a growing conviction that a focused emphasis be placed in both the principles and procedures of drug enforcement. Both have been fleshed out — and now enfleshed in an organized fashion into this Manual.

No doubt the Manual can shed a lot of light on drug enforcement problems, which every police officer worth his uniform must be willing to face and solve. It can also be a source of education when disagreements occur on policy or when practice proceeds from unexamined assumptions.

It is expected that the Manual will be subject to the dynamics of revision and review from time to time. Thus, every reader is encouraged not only to apply the principles set forth therein but also to contribute new ideas and fresh insights to further improve the same. Every reader's serious commentary is most welcome.

REYNOR R GONZALES
Police Sr Superintendent (GSC)
Director
ACKNOWLEDGMENT

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• PSSUPT ERNESTO V BELEN, CDS, for providing insight and direction to complete the Manual;
• PSUPT RENE M MARAMO, COD, for researching, collating and preparing the materials needed in the Manual.

The contents of this Manual are based mostly on DILG/NAPOECOM/PNP issuance's and directives, RA 6425 and reports of accomplishments as well as actual experiences of Narcotics personnel in the field.

DIONY A. VENTURA, MNSA
Police Director
Director for Human Resource and Doctrines Development
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CHAPTER I

INTRODUCTION

The PNP Narcotics Group (NARGRP), a national support unit of the Philippine National Police (PNP), is the lead agency of the PNP tasked with the enforcement of Republic Act 6425 otherwise known as the Dangerous Drugs Law of 1972 and all other laws relative to the protection of the citizenry against dangerous drugs and prohibited substances.

NARGRP is the agency spawned by the Philippine Constabulary Anti-Narcotics Unit (CANU) which was formally activated in February 1972. On February 1983, then CANU was elevated to a specified command and renamed AFP NARCOM. With the merger of then PC/INP into the present Philippine National Police (PNP), the AFP NARCOM’s functions were absorbed in 1991 by PNP NARCOM, now the PNP NARGRP.

VISION:

Attainment of a Drug-Free Philippines.

MISSION:

To enforce RA 6425 and all other laws relative to the protection of the citizenry against dangerous drugs and other prohibited substances.

ORGANIZATION:

The Narcotics Group is comprised of the Central Offices and Administrative Support Services; and Regional Narcotics Offices spread throughout the Philippines.

I. The Central and Administrative Support Services include the Offices of the Chief Directorial Staff: Personnel; Intelligence; Operations; Logistics: Police Community Relations; Financial Management; Legal & Investigation; Inspectorate; and Drug Rehabilitation and Treatment Centers; and Training Unit. Other Administrative offices are the Public Information Office; COMMEL-Technical Support Group and Service Support.

II. The Narcotics interdiction Unit which covers the different Ports, Harbors and Airports.

III. The Operational Support Offices include the Special Operations Office; the Metro-Manila Narcotics Office and the Fourteen (14) Regional Narcotics Offices.

IV. The Special Operations Office undertakes special mission nationwide.
V. CDID

- The Metro-Manila Narcotics office undertakes operation in the whole of Metro-Manila.

FUNCTIONS:

- To detect (dangerous) drugs traffickers, pushers and users
- To investigate (dangerous) drugs cases and arrest/prosecute violators of the drug laws.
- To conduct drug prevention education and public information.
- To assist the government in the treatment and rehabilitation program for drug users/dependents.
- To enforce other laws relative to general police duties and law enforcement.

NARGROUP HISTORY

1972-Birth of Constabulary Anti-Narcotics Unit (CANU)

To enforce Philippine laws on drugs and to harmonize, supervise and coordinate the anti-narcotics activities of the then Philippine Constabulary (PC) in response to the alarming problem posed by heroin addiction and abuse of marijuana and other drugs, the Constabulary Anti-Narcotics Unit (CANU) was activated on 16 February 1972 under its first commanding officer, then Col. BIENVENIDO L FELIX (GSC). With only 76 officers and men, CANU capably conducted narcotics detection and investigation including education and information campaigns. Upon the passage of Republic Act 6425, otherwise known as the Dangerous Drugs Law of 1972, CANU capabilities included limited treatment and rehabilitation of drug dependents. The "FELIX CONCEPT" of treatment-and-rehabilitation - a Family-centered and God-oriented approach - evolved on the concept that "Drug users are not criminals but sick persons, victims themselves, who should be given the chance to rejoin the mainstream of normal community life."

One of CANU's major law enforcement strikes was the seizure of several kilos of marijuana seeds in Chinatown, Manila. This was followed by the arrest of two (2) American Ex-GIs and confiscation of several quantity of heroin, hashish and madrax tablets which led to the unmasking and arrest of a Chinese, LIM SENG @ GAN SOU SO, and the dismantling of his heroin-making laboratories in Quezon and Caloocan Cities. It was then martial law in the country and Lim Seng was executed by firing squad in 1973. It was CANU's finest hour.

On March 16, 1974, CANU was granted full AFP TOE unit-status and designated as AFP TOE C-121-5. Its personnel strength was increased to 67 officers and 238 enlisted personnel. In 1975, Task Force "Bagong Buhay" (TFBB) was activated pursuant to HPC L01 4/75 to integrate narcotics law enforcement of various anti-narcotics units of the then Philippine Constabulary/Integrated National Police (PC/INP) and paved the way for the reorganization of CANU/TFBB's field enforcement units.
CANU’s outstanding performance more than justified its creation. It was twice bestowed the Unit Citation Award in 1973 and 1974. Col Felix was subsequently chosen as PC/INP Commander of 1976.

CANU's capabilities, in joint cooperation with foreign law enforcement counterparts, led to the neutralization of a multi-national drug ring in an intricate operation that spanned throughout the Philippines, USA, Thailand and Guam where some million dollars worth of heroin were discovered to have been transshipped through the Philippines. Despite this, however, domestic traffic in heroin and morphine was kept down to "almost zero level." Cocaine and LSD-abuse was insignificant; yet, the domestic illicit drug problem worsened drastically by 1979 inspite of relentless narcotics operations. It was because proliferation of marijuana was becoming the biggest problem; so that by 1980, all-out war vs marijuana (MJ) was waged. With then Col. VIRGILIO M. DAVID at its helm, CANU pursued its efforts beyond the gains scored the past three (3) years to "insure that a drug-free family make for a healthier society."

1983 - CANU ELEVATED TO AFP NARCOM

Recognizing the new threats of drugs, particularly marijuana (MJ). not only to our youths but to national security as well in view of the involvement of CTS and SPTS in marijuana cultivation; to further improve the integrated and cooperative efforts of various government agencies in the campaign to curb drug abuse, and in particular, to assist CANU in the integration of all drug law enforcement efforts of Government, CANU was elevated as a specified Command of the Armed Forces of the Philippines (AFP). Renamed as AFP Narcotics Command (AFP NARCOM) in February 1, 1983, it was placed under the operational command of the Chief of Staff, AFP, but remained under the direct operational supervision of the then C, PC/DG, PNP.

Under then Col. RAMON E MONTANO's leadership, a major reorganization was carried out to ensure uninterrupted drug law enforcement and other related activities in stopping or curbing drug abuse. The year saw the conceptualization of the National Strategy vs Drug Abuse anchored on the philosophy - "To keep the drugs away from the abusers/users and the abusers/users away from the drugs." To keep the drugs away from the abusers, the strategy of drug-supply reduction was conceptualized to reduce the availability of drugs and prevent/control its proliferation and drug trafficking. To keep the abusers away from the drugs, the strategy of drug-demand reduction was conceptualized to increase public awareness on the harmful effects of drugs on the individual and its adverse effects on the socio-economic well-being of the family and the country, and thus, prevent and control drug abuse.

In its 4th year, this time under the leadership of then Col. PANTALEON G DUMLAO, NARCOM "nagkaisa laban sa droga" was instituted. Despite the civilian nature of drug enforcement, NARCOM played a dominant role in multi-agency drug law enforcement in the country. In 1987, the Secretary of
National Defense, as Chairman of the Peace and Order Council (POC), directed all LGUs to organize Anti-Drug Abuse Councils and Committees (ADACS) in order to attain a cohesive and intensified community involvement against drug abuse.

Again, under Col DAVID'S stewardship, NARCOM went through a major reorganization and house-cleaning in 1989 to improve its capabilities. Special attention was given to the removal of the scalawags and the fielding of more men and material resources to the frontline operating units. The neutralization of Tomas Velasco, leader of the notorious 14K drug syndicate and the leaders of the bamboo gang; the dismantling of a shabu laboratory in Binondo, Manila; the neutralization of the Porontong-Oyon Gang; the neutralization of the Australian-Manila connection, among others, were major accomplishments.

During the December 1989 coup attempt, NARCOM remained united, loyal and steadfast in the defense of the constitution and the existing democratic government. For its splendid performance, NARCOM was awarded the 1989 NAPOLCOM Streamer, the first and highest unit award ever given by NAPOLCOM.

1991 - AFP NARCOM REDESIGNATED AS PNP NARCOM

When the then PC/INP was merged and reorganized into the present Philippine National Police (PNP) by virtue of Republic Act 6975 otherwise known as the PNP Law, the PNP absorbed the functions of AFP NARCOM effective January 2, 1991 as the Philippine National Police Narcotics Command (PNP NARCOM). The main role of PNP NARCOM is the integration of all drug law enforcement efforts in order to realize the main objective of destroying the drug trafficking network and the prevention/control of drug abuse.

Under the leadership of BGEN JOB A MAYO JR, year 1991 ushered in the need for NARCOM to go on networking to enhance total collective campaign to fight drug abuse. In 1992, it was during his watch that NARCOM arrested a big number of foreigner-traffickers - 72. Under then POLICE CHIEF SUPT DICTADOR L ALQUEZA. NARCOM realigned its operational capabilities to confront the ever-changing patterns of drug traffickers. It won of public support in its drug prevention program especially in the remote places that were once isolated - its mobile preventive education and information teams were successful in reaching out to them.

This time under the Directorship of then POLICE SENIOR SUPERINTENDENT RAMSEY L OCAMPO, in 1993, NARCOM estimates disclosed that the extent of the drug menace exacerbated the national crime rate by 50%, with about 60% of showed the drug problem concentrated in Metro-Manila. Equally disturbing was the fact that the Philippines has become a major transshipment point for international drug trafficking.
Moreover, the country has become one of the major exporters of marijuana. OPLAN GREENGOLD was thus operationalized to extensively pursue MJ-eradication all over the archipelago. Its relentless and intensified operations against drug syndicates and drug dealers/pushers achieved modest gains in NARCOM’s anti-drug efforts in 1993 through its OPLAN THUNDERBOLT (vs Drug Syndicates/ Lords) and against secondary street-level drug pushers under OPLAN ICEBERG.

1995 - REINVENTING DRUG LAW ENFORCEMENT

The drug menace persisted despite the effectiveness of the national strategy. Thus, the year 1995 saw the need to reinvent drug law enforcement. There was a felt need for new drug enforcement tools and new drug enforcement methods and techniques. Accomplishment-wise, NARCOM made a series of successes in drug law enforcement that started in the seizure/confiscation of 91 kilos of shabu worth P182,000,000.00 in La Union and the neutralization of an international drug syndicate member (Stanley Tan).

Taking over the helm of leadership in June 1995, P/SR SUPT REX D PIAD (GSC) announced his marching orders to his men: "Concentrate on bigger targets," in reference to particularly neutralizing drug syndicate/drug lords in the conduct of narcotics operations while all anti-narcotics street-level operations shall be entrusted to PNP territorial forces.

Under his able leadership, the Command made better scores in the anti-narcotics campaign till the end of 1995: seizure/confiscation of 75 kilos of shabu with a market value of P50,000,000.00 and the arrest of a drug syndicate member (Johnny Pan). In the pursuit of its drug demand-reduction strategy, the command doubly intensified its Drug Abuse Preventive Education with some 139,314 students/youths, parents/barangays residents, NGOs/POs member benefiting from it. The Command likewise, maximized its public information awareness efforts through the tri-media and pursued other anti-drug abuse campaigns and Police-Community Relations activities, to include its treatment-and-rehabilitation programs (Sagip-Yagit) and (Sagip-Kabataan).

1996 - WORKING TOGETHER TOWARDS A DRUG-FREE PHILIPPINES

Recognizing that Drugs End All Dreams (DEAD), NARCOM has vision: Working together towards a drug-free Philippines. True to his words, in early 1996, the PNP NARCOM made the biggest haul ever in the field of drug law enforcement: seizure/recovery of some 140 kilos of shabu with a market value of P280 million and the neutralization of a drug syndicate member (Chen Tin Lun), busting the pipeline of shabu in the China-HK-Philippine connection. This was followed by the seizure/confiscation of 1.5 kilos of heroin and the arrest of another drug syndicate member (Chen Chi Chung). NARCOM had confiscated/recovered P89 Billion worth of illicit drugs and arrested 999 persons including 25 foreigners, 22 members of the PNP/AFP, and 8 killed in action.
Intensifying its Preventive Education, Public Information and other anti-drugs abuse and PCR activities, anti-drugs slogan blitz in the tri-media, among other information efforts, have been launched by the Command. 132,115 teachers/students/out of school youth/barangay residents and civic leaders benefited from 404 occasions of drug preventive education in various fora for this year alone.

For its laudable accomplishments, the command won the "PNP Operational Support Unit of the Year" award during the 5" PNP Day program last January 1996.

The NARCOM has remained in the forefront in the war versus drugs. It has gained the reputation of being a premier drug law enforcement agency tasked with the prevention/control of drug proliferation/trafficking and drug abuse. To its credit, the Command was cited by the Chairman, Dangerous Drugs Board (DDB), concurrent Secretary of the Department of Health, Hon Hilarion Ramiro, as "One of the finest, most credible police command ranked among the best in Asia" during the 13" NARCOM Anniversary celebration last February 1996.

On 27 May 1996, in Resolution Nr. 40 of the 10th Congress, NARCOM earned the highest recognition from the House of Representatives (Congress) for its outstanding and meritorious accomplishments in the field of drug law enforcement - NARCOM seized approximately P3.7 Billion worth of drugs and arrested 2,874 persons including 40 foreigners in two (2) years under then P/CSUPT PIAD.

During the DDB recognition rites in celebration of Drug Abuse Prevention and Control (HDAPC) week in 14 November 1996, P/CHIEF SUPT PIAD was given a Plaque of recognition by the DDB for his and his unit's efforts in the anti-drug campaign. Then, on 18 November, he (PIAD) received from the International Narcotics Enforcement Officers Association (1NEOA) based in the United States of America, the International Award of Honor - hall of fame, for his and his unit's invaluable contribution to and exemplary performance in the campaign against the illicit drugs.

Despite commendable efforts at drug law enforcement, the ranks of drug abusers continued to grow; thus, drug demand reduction efforts were now equally matched with drug supply reduction efforts. Necessarily, the cooperative partnership of police community-LGU and the collaborative relationship between and among the 5 pillars of the Criminal Justice System were deemed imperative to defeat the growing drug menace. A people's initiative against drugs and the organization-and-mobilization of anti-drug coalitions/groups had to be orchestrated by the group.
1997 - OPERATION BANAT: DRUG LAW ENFORCEMENT IN COMMUNITY POLICING TOWARDS DRUG-FREE BARANGAYS

The year opened with Gen. PIAD being awarded as the "HERO OF THE WEEK" by DZEC radio program, "best friends kontra droga." Focusing attention to target drug abusers and batting for a policy of drug-test as part of health care program in the PNP/AFP, GOs/NGOs/POs including the provision for mandatory rehabilitation-and/confinement of drug dependents. Operation BANAT (Barangay Against Narcotics Abuse and Trafficking) has been conceptualized on July 1997 by NARCOM. Basically a barangay-cleansing project, its components are: the identification of drug-affected barangays; neutralization of drug pushers and abusers: intensified conduct ofDAPE/CI and PCR/PIA programs including PI & E/PEVO and MRP activities (to enhance public awareness of the drug menace and drum up community support and citizen involvement in drug law-enforcement, Preventive Education and Community Information); treatment and rehabilitation efforts - insuring that the barangay is drug-free and empowered to sustain a drug-free barangay. a so-called BARBERS' barangay: a Barangay that is Awakened and Reformed Brought about by an Enlightened and Responsive Society. Thus, the five (5) Metro Narcotics District Offices conducted BANAT operations in piloted Metro-Manila barangays accounting for some 1000-persons; identified pushers were accordingly charged for violations of RA 6425 and those found positive for drug use were brought to the rehab centers.

Further strengthening the campaign against the drug menace which has become serious and alarming thereby posing a threat to national security, upon direction of President Fidel V Ramos on 04 August 1997, the Department of Justice (with the Secretary as concurrent Chairman, Dangerous Drugs Board) took over the lead in the campaign with the D1LG/PNP and DND/AFP in support roles. Just after the 15 August drug summit in Malacañang that conceptualized an integrated plan (COMPLAN MABUHAY) to address the problem of drug abuse-and-trafficking - utilizing all capabilities of government and civil society - P/SSUPT REYNALDO M ACOP, took over as the new Director of the Group in a mass turn-over rite on 18 August 1997.

P/SSUPT REYNALDO M ACOP emphatically announced that NARGROUP under then P/CSUPT PIAD left a legacy in the government's anti-drugs campaign as "its (NARGROUP) efforts and contribution to the national strategy (of Drug- Supply and Drug-Demand Reduction) towards a drug-free Philippines raised the level of consciousness and enhanced public awareness about the drugs and the evils and consequences it bring about reaching far and wide across and within the nation and civil society." In short, P/CSUPT PIAD's expose about the drug menace stirred a "hornet's nest," so to speak,

On his (ACOP) shoulders now rested the initiative to pursue Operation BANAT, P/SSUPT ACOP embarked on a revamp-and-clean up of the organization and renamed NARGRP as PNP ANTI-NARCOTICS GROUP, with the Regional Narcotics Offices as Regional Anti-Narcotics Offices
(RANOs) and Metro Manila Narcotics District Offices as Anti-Narcotics District Offices (ANDOs). On 8 December 1997, in accordance with the PNP staffing pattern and in order to come up with a lean-and-mean organization to enhance operational effectiveness in narcotics operations in MMA, these ANDOs were reorganized into two (2): South Metro Narcotics District Office (SMNDO) which has jurisdiction over Manila, Makati City, Pasay City, Marikina City, Muntinlupa City, Las Pinas, Paranaque, Taguig, Pateros and San Juan and North Metro Narcotics District Office (NMNDO) covering the areas of Quezon City, Caloocan City, Malabon, Navotas and Valenzuela.

Just two (2) days after the change of command of the PNP leadership (from DIR GEN RECAREDO A SARM1ENTO 11 to DIR SANTIAGO L ALINO), P/SSUPTACOP received his promotion to P/CH1EF SUPERINTENDENT effective 19 December 1997.

1998 - BE DRUG-FREE, STAY DRUG FREE

On the occasion of the group's 26th Founding Anniversary where 26 police officers were awarded medals of recognition for their respective role-and-contribution in the anti-drug campaign, P/CSUPT ACOP asked his men, PNP personnel and their dependents to "Be drug-free and stay drug-free." The statement is actually an acronym of his Drug Abuse Prevention and Control (DAPC) tips.

The year saw NARGROUP make a major breakthrough in reforming its not-so-positive image. Acop was cited by the United States government for his Internal Reforms Program that resulted to the relief of members found to be drug users themselves or either directly or indirectly involved in the illicit drugs trade. The US Drug Enforcement Agency (DEA) further cited Acop for transforming NARGROUP into a "more credible anti-narcotics unit" as well as making significant dents in joint US-Philippine efforts against drugs.

Under P/CSUPT ACOP's stewardship, approx P390 million worth of drugs including a big quantity of heroin were seized/confiscated. 24 foreigners were among some 1,496 persons arrested for big-time drug trafficking, including a level-2 drug personality, Dewey Dy Yap.

A year after its implementation, Operation BANAT proved its effectiveness - collaborative barangay participation and support led to the success of a joint PNP Police Regional Office 2 (PRO 2) - NARGROUP's recovery/confiscation of some 235 kilos of liquid and crystalline shabu from a northern island-municipality in the Cagayan region on June 1998. Estimated to be worth P465 million, this is the biggest haul of shabu for the year. As a result of subsequent narcotics operation, five (5) persons including a member of the 14K drug syndicate were likewise arrested and charged accordingly for violation of RA 6425, as amended by RA 7659.

When P/SSUPT REYNOR R GONZAEES - a CANU "original" over the leadership of NARGRP on 24 August 1998, he beefed up the personnel strength of SOD and the RNOs and merged the two (2) Metro NDOs into one (1) Metro Manila Narcotics Office (MMNO) in compliance with the AC, PNP's
DREAMS Strategy of community policing - the dispersal of 85% of the group's total strength to the field.

Pursuing the humble operational accomplishments of his predecessors and orchestrating allied narcotics operations at Police Regional/District/Station-levels, MMNO operatives, combined elements of SOD, PPOs, RNOs - in coordination with the Presidential Anti-Organized Crime Task Force (PAOCTF) under P/D1R PANF1LO M LACSON - conducted narc operations notable of which is the series of operations launched against Filipinos and Nigerians where some P50 million worth of heroin and cocaine were seized/confiscated by joint Philpost-Bureau of Customs-PASCOM-NAIA Police-NARGRP teams.

Overall, these operations, netted some P132 million worth of drugs including cocaine concealed in perfume containers, diaries and heroin well-concealed in blades of butcher knives. Among the 560 persons arrested, 11 were foreigners including two (2) 14K gang members.

P/SSUPT GONZALES has likewise sustained vigorous but focused implementation of Operation-BANAT in close collaboration with local PNP police offices nationwide by deploying operating teams in the barangays, especially in drug prone/source areas, with the assistance of Barangay Leaders and Tanods and with the involvement of the Multi-Sectoral Community which maximized citizen participation.

Thus, with Pasig City at the pilot project area, in a three (3) month period some 252 drug pushers and users were rounded up for drug possession/pushing and/or during pot-session.

Before the year ended, NARGRP - in cooperation with DSWD's Ahon-Bata sa Lansangan program - conducted Oplan Sagip-Yagit and rounded up a hundred street children, so-called "Rugby Boys," to keep them off the streets, away from drugs and crimes.

**1999 - CREATION OF THE NDLEPCC**

Despite earlier efforts of government and NARGRP to stem the tide of drugs proliferation and reduce/control drug abuse, the drug menace loomed as a serious national security threat - the population of drug users' ranks continued to grow with 1.2 million aged 15-30 years old as drug users; 70% of crimes committed were drug-related, the no. of MJ plantations grew to 98 sites located in 9 regions; 70 % of drug activities were concentrated in MMA; drug-affectation of some 6,000 plus barangays; and the country remained a significant spot in the global drug map, either as importer/exporter/cultivator/consumer of and/or transit point for illicit drugs.

Disturbed by the seriousness of the drug problem, no less than His excellency, President Joseph E Estrada, has called for a massive anti-drugs campaign in his desire to attain A Drug-Free Philippine by the year 2000. Thus, under the auspices of the PAOCTF and spearheaded by NARGRP.
A series of planning conferences/workshops came up with a list of barangays with drug-affectation, identification of Drug Supply Hierarchy (DSH), and a list of drug pushers and users to be targeted for the campaign.

For five (5) days, starting 15 January, in one sweep by the PNP NARGRP and the PAOCTF, some 1733 persons were arrested, identified to be drug traffickers, pushers and users, approximately P72 million worth of shabu, marijuana and other illicit drugs were seized/confiscated.

On 15 January 1999, Exec Order Nr 61 was signed by PJEE creating the National Drug Law Enforcement And Prevention Coordinating Center (NDLEPCC), a single body especially tasked to orchestrate and consolidate the drug law enforcement and prevention efforts of national government agencies, LGUs and NGOs to have a more effective anti-drugs campaign at the national down to barangay levels.

Chairmanned by PJEE as concurrent SILG, the NDLEPCC has the CPNP as Vice-Chairman with the Chief, PAOCTF; Chairman, DDB; Director, NBI; Commissioner, Bureau of Immigration; Chief, National Prosecution Service and Commissioner, Bureau Of Customs as members. PJEE appointed P/DIR JEWEL FCANSON as the Executive Director of its secretariat, with participating agencies that include the DOH, DOJ, DND, DECS, DOE, DSWD, DOLE, DDB, PIA, PNP, AFP, NBI, National Prosecution Service, Bureau of Customs, B1R, BID, NICA, EIIB, PCG, Philpost and other agencies, as needed.

ACTIVITIES OF THE UNIT

STRATEGY:

• Supply Reduction is addressed in various OPLAN's: against high level drug trafficking organizations and an expanded street level operations that lend to disrupt and disorganize drug pushing activities.
• Demand Reduction, is dedicated to deny the market from drug syndicates, pushers, and consisting of preventive information and education, and treatment and rehabilitation.
• International Cooperation, involves continuing liaison with international drug enforcement agencies on a mutually supporting reporting relationship against international drug trafficking. This encompasses foreign training exchange, in service training, intelligence exchange, marijuana eradication and infusion of modern equipment and facilities.
• Intra-unit Coordination Exchange is to effect a well-organized nationwide drug law enforcement thrust. This includes training exchanges and operational coordination.
• Legal Offensive, ensures successful prosecution of drug-related offense cases that bring into focus the conduct of evidence-oriented investigation, case tracking, prosecutory, development and research.
NATIONAL DIMENSION:

• Neutralize high-level drug trafficking organization.
• Multiple coordinating mechanism as an effective counter-drug initiative.

INTERNATIONAL:

Effective network and intelligence exchange.
Infrastructure Modernization.

THE UNIT SEAL

The GLOBE - symbolizes the universality of the drug abuse problem. The drug abuse problem which has become far-reaching and transcends political and geographical boundaries.

The PHILIPPINE MAP - is prominently featured on the left side of the globe to stress its vital contribution in the efforts to check global traffic of illicit drugs as part of its international commitment and cooperation.

The BOOK - symbolizes the information and education campaign as a basic component in the fight against the drug menace as well as the training of the Group's personnel on the conduct of the anti-illegal drugs campaign.

The PAGES OF THE BOOK - connote how the unit deals with drug trafficking, drug pushers and users. The RED PAGE signifies the vigilance and dedication of the drug law enforcers. The WHITE PAGE signifies compassion for the drug victims as well as the humanitarian efforts to save and reintegrate them into the mainstream of society through the treatment and rehabilitation program.

The HAND - shown crushing illicit and dangerous drugs, it symbolizes the drug law enforcement efforts of the Group to prevent and control drug trafficking and drug abuse in the country through supply reduction of illicit and dangerous drugs and demand reduction programs respectively.

- It also symbolizes the firm resolve of the group in combating the drug menace so that we may soon realize a Drug-Free Philippines.
CHAPTER II

DANGEROUS DRUGS

A. DEFINITION OF TERMS

Drugs Defined

A chemical substance taken into the human body to cure illness and/or relieve signs/symptoms of disease.

A chemical substance taken into the body that brings about physical, emotional, or behavioral changes in a person taking it. Substances which when taken into the human body alter mood, perception, feelings and behavior.

Substances which when taken into the human body alter mood, perception, feelings and behavior.

DANGEROUS DRUGS

PROHIBITED DRUGS are drugs not legally sold unless otherwise authorized by competent authority. They include opium and its active components and derivatives, such as heroin and morphine; coca leaf and its derivatives, principally cocaine; Alpha and Beta Euaine; Hallucinogenic drugs; such as mescaline. Lysergic Acid Diethylamide (LSD) and their substances producing similar effects; Indian Hemp (MJ) and its derivatives: all preparations made from any of the foregoing; and other drugs and chemical preparations, whether natural or synthetic, with the physiological effects of a narcotics or hallucinogenic drug. Examples are narcotics, stimulants, hallucinogens.

REGULATED DRUGS are drugs legally sold with prescription through over the counter purchase. They include self-inducing sedatives, such as Secobarbital, Pheno-barbital, Pentobarbital, Barbital, Amobarbital and other drugs which contains a salt or a derivative of a salt or Barbituric acid; any salt, isomer or salt of an isomer; of Amphetamine, such as Methaqualone, Nitrazepam or any other compound producing similar physiological effects. Examples are Barbiturates, Hypnotics. Amphetamines.

In accordance with Presidential Decree 1619, these likewise include Volatile Substances, which include any liquid, solid or mix substance having the property of releasing toxic vapors or fumes containing one of the following chemical compound: Methanol, ethanol, iso-propal, ethyl acetate, N-propyi acetate, methylene chloride, trichloethylene, tetrachloroethylene, nitrous oxide, dichlorodifluoromethane, isoamy nitrate, ether or chloroform, or any other chemical substance which when sniffed, smelled, inhaled or induces a condition of intoxication, inebriation, excitement, stupefaction, dulling of the brain or nervous system, depression, giddiness, paralysis, or irrational behavior, in any manner changing, distorting or disturbing the auditory, visual or mental processes. Examples are solvents, glue and thinner.
B. CLASSIFICATION OF DRUGS

a. According to source:

1. Natural
2. Synthetic

b. According to effects:

1. Depressants - Narcotics, tranquilizers, sedatives
   
   - Sedatives - Calm nerves
   - Hypnotics - Induce sleep
   - Alagesics - Reduce pain
   - Tranquilizers - Reduce anxiety

2. Hallucinogens - LSD, DET, DMT, MJ
3. Stimulants - shabu, amphetamines, cocaine
4. Inhalants - solvents, glue, gasoline, chloroform, kerosene, paint thinner, naphthalene

c. According to RA 6425

1. Prohibited Drugs - not legally sold unless otherwise authorized by competent authority
   
   - Narcotics - opium, heroin
   - Stimulants - cocaine, eucaine
   - Hallucinogens - MJ, LSD

2. Regulated Drugs - legally sold with prescription through over-the-counter purchase
   
   - Barbiturates - luminol, amytal, seconal
   - Hypnotics - mandrax, qualude
   - Amphetamines - benzedrine, shabu

d. According to PD 1619:

1. Volatile Drugs - solvents, glue, thinner

Ten (10) most commonly abused drugs

- Shabu
- Marijuana
- Phydol (cough/cold preparation)
- Pseudoflex (cough/cold preparation)
- Corex D (cough/cold preparation)
- Mentodex (cough/cold preparation)
- Hycodin (cough/cold preparation)
EFFECTS OF DANGEROUS DRUGS AND OTHER SUBSTANCE OF ABUSE

1. Hallucinogens - (also called psychedelics) are not considered addictive although they can and do produce psychological dependence. They are capable of provoking alterations of time and space perception, illusions and delusions. Results are variable; A "Good Trip" may be experienced by the same person on different occasions i.e. hashish, marijuana, mescaline (peyote cactus), PCP (Angel Dust), LSD.

Often called grass, pot or weed, Marijuana (MJ) is a crude drug made from cannabis sativa, a plant that contains a mind-altering ingredient (psycho-active) produces somatic or psychic changes in man. Among the more prominent subjective effects of cannabis are hilarity, carelessness, euphoria, distortion of sensation and perception, impairment of judgement and memory, distortion of emotional responsiveness, irritability and confusion.

IMMEDIATE EFFECTS

- Increase Hunger
- Sleepiness
- Faster Heartbeat And Pulse Rate
- Bloodshot Eyes
- Dry Mouth And Throat
- Forgetfulness/Inability To Think
- Impaired Reflexes, Coordination And Concentration
- Acute Panic And Anxiety Reaction - Extreme Fear Of Losing
- Control, Paranoia

LONG-TERM EFFECTS

- Chest Pain
- Irregular Menstrual Cycle
- Temporary Loss of fertility for both sexes
- Premature babies/low birth weights
- Cancer
- "Burn-Out" (dull slow moving, inattentive and unaware of surroundings)

WHY MARIJUANA IS DANGEROUS

- Marijuana slows down the users mental and psychomotor activities. Users don't remember what they have learned when they are high.
- The effects of marijuana can also impair thinking, reading comprehension, verbal and mathematical skills.
Marijuana creates other health problems related to; the reproductive system, the heart, the lungs. It has been found that marijuana use may lead to cancer.

- Long-term regular use of marijuana may lead to psychological dependence. Once started, it may take more of the drug for the user to get the same effect.
- Young marijuana users are more likely to go on experimenting with other drugs

2. Stimulants (Amphetamines). So-called "uppers", they stimulate the central nervous system i.e. cocaine, alpha and beta cocaine, benzedrine, preludin, shabu.

IMMEDIATE EFFECTS

- Produces anxiety, irritability, irrational behavior, talkativeness and loss of self-control
- Results in loss of appetite and inability to sleep.
- Can lead to acute psychotic reactions, violent and destructive behavior and recklessness that may result in accidents.
- Psychological effects that include chest pains, irregularity of heartbeat, hypertension, convulsion and death from cardiac arrest.

LONG-TERM EFFECTS

- Psychiatric Consequences - prolonged use can lead to manifestation of a full blown psychosis which is similar to schizophrenia characterized by the presence of paranoia, delusions, auditory and visual hallucinations
- Severe irritation of the nasal passages that they may become prone to frequent nose bleed.
- Renal damage, heart disease and stroke.
- Injecting shabu from contaminated needles may lead to risk of infections resulting in inflammation of the blood vessels and aids, all of which can lead to death.

SIGNS OF SHABU USE

- Rapid weight loss
- Deterioration of eyesight
- Tooth decay
- Brittle or shrinking bones
- Acne and other skin and scalp ailments
- Body odor, hair loss
- Excessive sweating in normal activity
- Calcium deficiency
- Irrational craving for the drug

Withdrawal Symptoms occur when the drug use is abruptly stopped. Among these are feelings of apathy, hypersomnia and depression that may lead to suicide.
3. Solvents/Inhalants - These are volatile substances that contain Psychoactive (mind/mood altering) Vapors that produce a state of intoxication. They are volatile organic hydrocarbons from petroleum and natural gas i.e., in nail polish remover, lighter fluid, gasoline, etc.

Solvents are used in both industrial and household preparations. These include plastic cement (e.g., hexane), model airplane glue and lacquer thinner (e.g., toluene, xylene), nail polish remover (e.g., acetone), lighter fluid (e.g., naphtha), cleaning fluid (e.g., benzene, trichloroethane) and gasoline (benzene, toluene, xylene). Other common products include some felt-tipped marker pens and typewriter correction fluids.

**IMMEDIATE EFFECTS**

- Feeling of euphoria, excitation, pleasant exhilaration
- Confusion and disorientation
- Distorted perception of time and distance
- Aggressive behavior and violence
- Hallucination, illusion, vivid fantasies
- Nausea and vomiting

**LONG-TERM EFFECTS**

- Loss of memory: mood depression
- Inability to think; brain damage
- Muscle cramp and weakness;
- Fatigue Numbness in limbs, bone marrow depression
- Abdominal pains, body tremors
- Damage to the central nervous system, kidneys and liver
- Pallor, thirst
- Weight loss
- Bloodshot eyes, nosebleed
- Sores on the nose and mouth
- Irritability, hostility
- Feeling of persecution

**WHY INHALANT ABUSE IS DANGEROUS**

- It will cause permanent damage to the brain or may result in "sudden sniffing death"
- Abusers under the influence of inhalants are prone to accidents. Several inhalant abusers have died from road accidents. Drowning, falling from tall buildings, etc. after sniffing glue, abusers can also become violent.
- Inhalant abuse produces psychological dependence. Once the habit is formed, the dose has to be increased gradually to produce the same effects.
Sedatives/Hypnotics. So-called DOWNERS, they are anti-anxiety drugs (tranquilizers), sleeping medications and central nervous system depressants. These drugs depress or slow down body functions. They induce sedation and sleep but can be dangerous when taken not in accordance with the physician's instructions (examples: Barbiturates, sleeping pills).

EFFECTS

• Slurred speech
• Poor judgment
• Regular use can cause both physical and psychological dependence. User will have to take larger and larger doses to get the same effects.
• Users feel they need the drug to function.
• When regular users stop using these drugs, they may suddenly develop restlessness, insomnia, anxiety, convulsion or death.

WHY SEDATIVE/HYPNOTICS ARE DANGEROUS

(Example: Methaqualone, Madrax, Qualude)

• They can cause both physical and psychological dependence. Regular use may result in the user having to take larger doses to get the same effects.
• When regular users stop using these drugs, they may suddenly develop physical withdrawal symptoms (restlessness, insomnia, anxiety, convulsion or death).
• When users become psychologically dependent, finding and using the drug becomes the main focus in life. • Users feel they need the drug to function.
• Taken with alcohol, sedative-hypnotic can kill. Any other drug slows the body when used with sedative-hypnotic, multiplies the effect and greatly increases the risk of death.
• Babies born to mothers who abuse drugs during pregnancy may have birth defects and behavioral problems.

BARBITURATES (i.e. Luminol, Amytal, Seconal, Secobarbital) - Barbiturates have effects similar to that of alcohol

Small doses: Calmness and relaxation

Larger doses: Slurred speech
                     Staggering gait
                     Pool-judgment
                     Slow, uncertain reflexes

Overdose: Unconsciousness or death

WHY BARBITURATES ARE DANGEROUS

• Barbiturate overdose has been known to cause 1/3 of all reported drug-related deaths - suicide and accidental poisoning.
• Your body quickly becomes tolerant to the drug's pleasant effects - meaning that you need a bigger dose to get the "high" but the body does not become tolerant to the effect the drug has on breathing – meaning that the more you take the drug, the weaker your breathing becomes. At some point you may become unconscious, go into a coma, or even die.

• Mixing barbiturates with other "downers" such as alcohol, tranquilizers, or heroin, or even with some antihistamines, is very dangerous for the same reason. They also slow your heart and breathing rates.

• If you regularly take a lot of barbiturates and suddenly stop, you can suffer symptoms severe enough to cause death.

• If you inject barbiturates, you run even more risks, such as tetanus or other infections from dirty needles - or hepatitis or aids from needles shared with others.

• Pregnant women should not take barbiturates except under a doctor's supervision. Prolonged use may cause birth defects or, at the very least, babies may suffer withdrawal symptoms from their mother's drug use.

WITHDRAWAL SYMPTOMS Barbiturates withdrawal can be even more serious than heroin withdrawal.

• Insomnia
• Irritability
• Anxiety
• Hallucinations
• Tremors
• Nausea and vomiting
• Abdominal pains

5. Opiates/Narcotics – These are groups of drugs that are used medically to relieve pain, but have a high potential for abuse. Some opiates come from a resin taken from the seedpod of the Asian POPPY PLANT i.e. Opium, Morphine, Codeine.

IMMEDIATE EFFECTS

• Restlessness
• "On the nod" effect (going back and forth from feeling alert to drowsy)
• For every large doses, the user cannot be awaked
• Smaller pupils
• Cold, Moist and Bluish Skin
• Slowed down breathing
• Nausea and vomiting
• Death
WITHDRAWAL SYMPTOMS

- Uneasiness
- Diarrhea, abdominal cramps
- Chills, sweating
- Runny nose and eyes

The symptoms begin 4-6 hours after "fix" and are strongest within 24-27 hours after symptoms subside only within 7-10 days. Sometimes, symptoms such as sleeplessness and drug craving can last for months.

WHY OPIATES ARE DANGEROUS

- Opiates may cause dependence and tolerance. An opiate dependent-person makes finding and using the drug his main focus in life. An opiate-tolerant person needs more and more of the drug to get the same effects.

- Overtime, opiate users may develop infections of the heart lining and valves, skin abscesses and congested lungs.

- Infections from unsterile solutions, syringes and needles can cause illness such as liver diseases, tetanus, serum hepatitis and aids.

- The opiate-dependent woman suffers from health problems like anemia and may give birth to babies with defects or who are dead.

COMMON PHYSIOLOGICAL EFFECTS OF HEROIN USE:

Tracks (Hypodermic needle marks and sclerosing of veins)
Slowing of physical activity and reflexes, slow heart beat
Slurring of speech, droopy eye lids
Blue discoloration of skin, non-oxidation of blood (cyanosis)
Dry skin with pale and brittle nails, itching of the skin (urticaria)
Dry mouth (excretion of body fluid slowed)
Insufficient air to blood, inhibits compression (anoxia)
Lowered skin temperature, cold skin (hypothermia)
Slow breathing (suppression of respiration)
Deepening of the voice (paloraspasm)
Flushed complexion (dilation if facial blood vessels)
Decreased propulsive activity of intestines (constipation)
Infrequent urination (antidiurrrhetic effect)
Lack of air to the lungs (pulmonary ventilation)
Increased permeability of pulmonary capillaries (pulmonary edema)
Abnormal sugar in system (hyperglycemia)
RECOGNIZING THE HEROIN USER:

- Long sleeved shirts during the hottest time of the year
- Sunglasses for the conceal constricted pupils
- Craving for sweets due to a build up of milk sugar
- Extreme thirst due to dry mouth
- Flushed complexion
- Sleepy or drowsy appearance
- Scratching
- Slow, shallow breathing
- Withdrawal symptoms
- Undernourished or unkempt appearance

COCAINE (BENZOYL METHYL ECGONINE). Is a white crystalline alkaloid found in the leaves of the coca bush which is an evergreen native to South America.

Cocaine acts as a central nervous system stimulant and as an anaesthetic which numbs whatever tissue it touches. Its effects begin within a few minutes peak (within 15-20 minutes) and disappear within an hour. It has a tendency to numb the sensory and motor nerve endings. It also tends to contract the blood vessels resulting in decreased sensations, numbs them. Therefore the user will experience an interaction of both the stimulation and numbing sensations. The effects of cocaine vary depending on the purity of the cocaine, the cut used, the individual and amount used. Cocaine can be used orally, by application, by injection and sniffing into the nostrils.

EFFECTS ON THE COCAINE (COKE) USER

1. The cocaine user often experiences the sensation of mental and physical stimulation. Euphoria, self-satisfaction and comfort of both mind and body. The user often feels he is capable of undertaking anything no matter how difficult.

2. The user will be hyperactive, talkative and more forgetful. He will often feel an increase in capabilities. Many musicians feel they play their instruments better while under the influence of cocaine. Experiments have indicated just the opposite.

3. Cocaine tends to release inhibitions allowing users to commit undesirable acts such as criminal and bizarre sexual acts.
4. Some users claim that their hearing reaches a higher degree of sensitivity.

5. Most coke users claim that cocaine is not a stimulant to the central nervous system but a sexual stimulant. Most of the studies on cocaine indicate that there is no real physical reason for sexual stimulation except for psychological reasons. As already mentioned, cocaine tends to release for psychological reasons. As already mentioned, cocaine lends to release a person's inhibitions and, therefore, increases their claim that sexual climaxes are intensified to three times over normal sexual climaxes, again a psychological effect.

6. Oftentimes, cocaine users experience a feeling of paranoia similar to methamphetamine users in that they become very suspicious an entrusting.

7. Many coke users experience hallucinations which can be better defined as intense daydreams. There has been some claim that coke users experience paraesthetic sensations or the feeling that insects, snakes or lice, are crawling on their body constantly.

8. Some coke users describe an intensified feeling of being under the influence of amphetamine but of much shorter duration. Others describe it as being under the influence of alcohol without the slow reflexes, dizziness and hangover.

9. Cocaine causes psychological dependence and is therefore an extremely habit-forming drug. When the effects of cocaine begin to wear off, the user often feels restless, unable to concentrate, quarrelsome, depressed, fatigued and lazy. Sometimes there are adverse physical effects such as constipation, cramps and nausea. Commonly the depression becomes extremely severe and the user loses interest in life and develops suicidal or morbid tendencies. The user will feel lifeless, dejected, prefers to be left alone and will sometimes experience a sensation of an impending death. At this time, paranoid hallucinations, in the form of persecution from authorities, also occur. In order for the user to counteract these pleasurable feeling obtained from use more cocaine. The extreme pleasurable feeling obtained from cocaine also creates a strong desire to continue using cocaine. What develops is a vicious circle of a euphoric high followed by depression, followed by the desire to reestablish the euphoric high. This causes an extremely strong psychological dependence on the drug. The depression which follows the effects of cocaine is often referred to as "being coked out" or the "cocaine blues".

10. Cocaine tends to accelerate the pulse rate, increase in blood pressure and quicken respiration rate. It promotes physical activity, energy and heightened reflexes.

11. Cocaine causes the pupils of the eye to dilate and react sluggishly.
12. Cocaine users will experience a complete loss of appetite while under the influence. Habitual coke users will often appear undernourished from lack of eating.

13. Cocaine users experience insomnia or the inability, need or desire to sleep.

14. Some cocaine users claim that after using cocaine, their sense of smells is greatly intensified although there is some indications that the use of cocaine brings about a degree of deafness. Other users complain of a buzzing noise in their ears.

15. Often, cocaine users will experience a desire for bowel movement immediately after using cocaine, although a more long standing effect is constipation.

16. There is a loss of perception as to time and distance.

17. Cocaine users experience a desire to scratch various parts of their body although it has not been determined whether this is a psychological or physical effect.

18. Use of cocaine often causes a dryness in the tongue and lip area and perspiration on the forehead and neck.

19. When cocaine is used orally, there is a slight tingling sensation on the tongue with the lips feeling swollen, dry and thick. Cocaine can also cause slight irritation of the throat. For a short time, there is a loss of sensation in the oral cavities, tongue and lips which lasts approximately ten (10) minutes. Individuals who use cocaine orally and for a long period of time will often have dark brown or chocolate-colored deposits on their tongue and teeth. Their lips will also often be cracked and the mouth sore all around.

20. Cocaine snorters will often have unhealed sores around the nose with red and sore septum. Continued snorting of cocaine tend to destroy the septum or portion of the nose which separates the nostrils. Cocaine also tends to discolor the walls of the nostrils to a pale yellow color.

21. When cocaine is injected into the vein, needle marks and tracks remain around the point of injection similar to the tracks of needle marks of heroin addicts.

22. There is no great degree of physical discomfort, physical withdrawal symptoms or sickness from the discontinuance of cocaine. But after the effects of cocaine have worn off. Many users will experience physical symptoms of fatigue, constipation, cramps, etc. There is some question as to whether tolerance develops with continued use of cocaine but studies indicate that it does develop in a lesser degree as compared to heroin addiction.

23. Habitual cocaine users reach a state of chronic blood poisoning and therefore succumb to weakness and anemia. The habitual user will often
appear sickly. Have dull facial expressions, little regard for personal appearance, pale, shallow complexion, sunken eyes, etc.

24. Cocaine may give feelings of sickness, nausea, vomiting and cramps in the stomach. The user may become semi-conscious and suffer twitching of the muscles of the face. Use of cocaine by a novice causes extreme perspiration in the regions of the forehead and neck with the tip of the nose becoming cold and cheeks pale. This coldness is called "freeze". Also, the feeling of confinement, lack of air, depression in the chest and heaviness in the head commonly follows the injection of cocaine. Headaches and extreme misery often follow the use of cocaine as does depression and exhaustion.

25. Overdose of cocaine may cause the pleasurable effect to turn into aggressiveness. Insomnia, Headaches and a feeling of heaviness throughout the limbs. These are the signs of the onset of cocaine poisoning followed by overdose. The fatal dose of cocaine may range from 20 milligrams to 1.2 grams of pure cocaine, the symptoms of overdose include convulsions, fainting, a halt in respiration, etc.

**IMMEDIATE EFFECTS**

- Overworks body and brain
- Dilated pupils, slurred speech
- Increase in blood pressure/heart rate/breathing rate/body temperature
- Feeling of sense of well-being; feels energetic and alert
- Less hungry

**LONG-TERM EFFECTS**

- Psychosis, confusion
- Restlessness, sleeplessness
- Extreme irritability, anxiety
- Stuffy or runny nose/ulcerated mucus membrane of the nose
- Lung damage

When cut off from the supply, a cocaine abuser experiences either a long period of sleep or he gets irritated, depressed or disoriented. He cannot even eat, rest of sleep. The abuser may also suffer other withdrawal symptoms like cramps in the stomach, digestive ailments or disorders, palpitation of the heart, tremors, specks in the eyes, even sexual impotence. A chronic cocaine abuser may likewise suffer mental imbalance or deep depression with dangerous repercussions as he may kill while suffering under the delusion of persecution during hallucinations.

Although cocaine may be found in sterile solutions or tablets, it differs from other stimulants or drugs as it is completely banned and can only be
obtained from criminal or illegal sources. One must remember that in the Philippines, cocaine is not even available by prescription.

WHY COCAINE IS DANGEROUS

• Damage to heart tissue and rapid heartbeat can cause heart failure and sudden death even though you are otherwise healthy

• A cocaine-triggered rise in blood pressure can explode weakened blood vessels in the brain, causing a stroke

• It's easy to overdose on crack, freebase, or injected cocaine even on small amounts of the drug. You can die from convulsion. Heart failure, or the depression of vital brain center that controls breathing

• Those who inject cocaine risk damaging their entire breathing system

• Finally, as with other stimulant drugs, heavy or long-term use can simply cause the body to burn itself out. Insomnia, weight loss and malnutrition are among the first signs of a serious problem

• In some people, even low doses of cocaine may create psychological problems

• An overdose may cause delirium, convulsions, respiratory failure or death

• Irregular intake of high doses of cocaine may cause paranoia or may lead to "Cocaine Psychosis" (hallucinogens of touch, sight, taste or smell),
CHAPTER III
NATIONAL STRATEGY AGAINST DANGEROUS DRUGS

Supply Reduction is addressed in various case operations plans which are far-reaching initiatives aimed at the highest level of drug trafficking organizations coupled with an expanded street level, operations that will disrupt and disorganize drug pushing activities. On the other hand, continuing marijuana eradication program that involves a multi-agency effort are being conducted in areas where marijuana plantations are rampant. The street level drug pushing is being addressed through L01 BANAT, a national barangay-based anti-drug operations being undertaken simultaneously by all the PNP units. (Please see ANNEX).

Demand Reduction, is dedicated to deny the market from drug syndicates, pushers, and consisting of preventive information and education, and treatment and rehabilitation. These are done through the continuous close coordination with other government agencies, LGUs and even the private sectors.

International Cooperation, involves continuing liaisoning with international drug enforcement agencies on a mutually supporting reporting relationship against international drug trafficking. This encompasses foreign training exchange, in service training, intelligence exchange, marijuana eradication and infusion of modern equipment and facilities.

Intra-unit Coordination Exchange is to effect a well-organized nationwide drug law enforcement thrust. This includes training exchanges and operational coordination.

Legal Offensive, ensures successful prosecution of drug-related offense cases that bring into focus the conduct of evidence-oriented investigation, case tracking, prosecutory, development and research.

SPECIFIC OBJECTIVES

National Dimension:

Neutralize high-level drug trafficking organization.
  • Multiple coordinating mechanism as an effective counter-drug initiative.

International:

  • Effective network and intelligence exchange.
  • Infrastructure Modernization
MEMORANDUM CIRCULAR No. 01-97

TO: DCO and Directorial Staff
    All RDs, PROs 1-13, ARMM, CAR & NCR
    All Directors, NSUs

FROM: Chief, PNP

SUBJECT: L01 36/97 Alpha (BANAT - Barangay Against Narcotics Abusers & Traffickers)

DATE: 03 September 1997

REVISED ACTION PLAN AGAINST DANGEROUS DRUGS

References:

a) RA 6425 (Dangerous Drugs Act of 1972);

b) Verbal Guidance and HWN of PFVR dtd 8 Aug 97 re: All Out Campaign Against Dangerous Drugs;

c) Joint DOJ-D1LG-DND Memo to NBI-PNP-AFP Re: Enhancement of Inter-Agency Coordination in the Anti-Ilegal Drug Campaign dtd 4 Aug 97;

d) PNP National Strategic Action Plan;

e) Joint Task Force Mabuhay's Integrated Plan to Address Dangerous Drugs;

f) US Resource Manual on "Understanding Drug Use Prevention Theories and Practical Approaches" (1988); and

g) People Empowerment Against Crime (1996).

Task Organization - Annex "A" (Organization Chart)
1. SITUATION

A. The Drug Menace

a. Fact and Figures

The drug menace has grown to alarming proportions inspite of prevention and suppression efforts by the PNP and other tasked government agencies to combat it. This has resulted in a concomitant upsurge of drug-related crimes, many of which are heinous. An estimated 1.7 million drug users threaten the Philippine society. Majority of these illegal drug activities are concentrated in Metro Manila. The drug menace is the second most prevalent crime problem in the country today, next to increase in crime rate. Drug addiction has victimized the youth which constitutes majority of the Philippine population. Out of the 17 million youth population, roughly 7% or 1.2 million are drug users. Most of these drug victims, 95% of them, use the direct methamphetamine hydrochloride known as "Shabu". Relatedly, records show that for the first five (5) months of the current year, five thousand one hundred five (5,105) drug-related incidents were reported. Nine thousand six hundred thirty-two (9,632) anti-drug operations has been launched, resulting in the arrest of six thousand sixty-five (6,605) persons, the confiscation of more than 285 kilos of methamphetamine hydrochloride (shabu) and the uprooting of hundreds of thousand marijuana plants in different plantation sites discovered nationwide.

The excessively dangerous extent of the drug menace is such that the National Intelligence Coordinating Agency (NICA) was prompted to assess "the proliferation of prohibited drugs has become the No. 1 nation security threat" in the Philippines (August 1, 1997 - issue of the Manila Chronicle).

b. The Drug Chain - Annex "B"

To have a good understanding and convenient framework of analyzing the drug menace, it should be thought of and viewed as the "Drug Chain". Its links consist of Production, Processing, Trafficking, Financing, Pertaining and Demand. Each link is made up of several activities and concomitant problems as shown in the schematic diagram.

B. Diagnosis of the Drug Menace

a. The Proof/Motive of Drug Lord/Trafficker/Pushers & Cohorts-Annex "C"

The motive of the drug lord, traffickers, pushers and their cohorts in the illegal trade is profit. Just like any other business, the amount of profit they realize out of it shall depend on the Law of Supply and Demand. Its basic principle means that the higher the price of a given commodity, more of it shall be supplied by the producer/sellers and less shall be purchased by the consumers/buyers; and vice versa. From the perspective of drug syndicates, its corollary axiom is that: the bigger the quantity or the drug disposed off and at a higher price, the bigger is the profit and vice versa.
As can be gained from the chart, if the quantity supplied is reduced while the demand schedule (curve) remains the same, the price shall go up and the quantity disposed off shall be reduced. This means that the revenue and the corresponding profit of the drug syndicates shall be reduced; and so with the number of users. On the other hand, if the demand is reduced, both the quantity and the price of the drugs disposed off shall decrease; even if the supply schedule (curve) remains the same. The corresponding revenue and profit of the drug syndicates shall be reduced, and so with the number of users. Profit of the drug Syndicates shall be reduced and SQ with the number of users.

b. Breeding Grounds/Factors that Give Rise to/Abet the Menace - Annex "D"

1) Poverty - This is the most prevalent factor that prompt pushers and abuser alike to indulge in dangerous drugs. Pushers are forced by circumstances to the retailing of prohibited drugs as a means/source of livelihood. Many abusers use dangerous drugs as a vehicle to escape the realities of poverty and its concomitant problems.

2) Ignorance - Lack of knowledge/information about how dangerous drugs look like, their bad effects, legal ramifications/consequences and other aspects of prohibited drugs, drug addiction, drug pushing, drug syndicate & and many others.

3) Loss of Family Values/Solidarity - Parents being busy bodies, their children are neglected. Western, influence through tri-media eroded the values of praying/eating together, etc.

4) Various Factors - Annex "E" (Factors Associated with Drug Involvement)

c. Limited Legal Parameters

Existence of several loopholes/technicalities and deficiencies in RA 6425 and related laws/issuance which are readily amended/addressed.

d. Major Deficiencies in the Criminal Justice System

1) Unsatisfactory image/credibility, involvement of some police personnel in drugs and serious inadequacies or the PNP vis-a-vis transnational drug syndicates and sources.
2) Indifference Apathy of the Community Pillar.
3) Slow image of the Prosecution and Courts Pillars. (For more detailed explanation, please read page 7-41 of Reference g above)

C. Enemy Forces - Annex "F" (List of Drug Syndicates Personalities)

D. Friendly Forces

1) Joint TF Mabuhay PACC;
2) Dangerous Drugs Board;
3) NBI
4) AFP and its Auxiliary/ Forces (CAAs & SCAAs);
5) Presidential TF on Intelligence and Counterintelligence (PTFIC)
6) PQCs-LECCS and LDCs;
7) Other Pillars of the Criminal Justice System;
8) NGAS and LGUs down to Barangay level, including SKs;
9) Security/Company Guards;
10) PTAs Student Governments and others NGOs;
11) Tri-Media and others.

2. MISSION

The PNP Conducts on all-out and sustained anti-narcotics campaign to dismantle/neutralize the Drug Chain and syndicates down to barangay level; investigate and prosecute drug offenders; provide for the treatment and rehabilitation of drug dependents; and empower the barangay as self-looking entities against the drug menace be completed within a time frame of two (2) years.

3. EXECUTION

A. PFVRs Guide

"Let us not forget that the real enemy that must be confronted and overcome - in the interest of protecting the peoples welfare and the national well-being - DANGEROUS DRUGS the ORGANIZATIONS/ NETWORKS/ LORDS/ MASTERMINDS/ CONNECTIONS/ TRAFFICKERS who must be uncovered, charged, prosecuted and punished The entire hierarchy of the drug traffic in the Philippines must be eliminated utilizing all capabilities of Government and Society."

"Prepare plans and integrated working paper for an all-out campaign against dangerous drugs (5-Pillar Approach)". (Reference b)

B. Strategic Concept

Implemental to PFVRs guidance above the PNP shall apply the following Strategic Concept:

a. 7- Pillar Approach - Annex "G"

The matrix of measures arid activities to be undertaken by the different Units/ Offices/Task Forces of the PNP in waging the Anti-Dangerous Drugs Campaign shall be based on and guided by the 7-Pillar Holistic Approach. The word "Holistic" manifests the resolve of the PNP to fight not only the drug offenders such as drug lords, traffickers and cohorts; but also to remove the ingredients that impel and enable them to perpetrate their crimes and the root causes/breeding grounds that give rise to and abet the drug menace.
The ingredients of any crime are Motive, Instrumentality and Opportunity. For the drug trade, the universal motive is profit especially among masterminds. Drug lords and traffickers, the instrumentality use in committing the drug offenses include plantations, laboratories, transportation means, prohibited drugs, dens, paraphernalias, human couriers, pushers, laundered money and the like. The first two ingredients belong to the offenders; as profit is what motivates the drug syndicates to engage in illegal drugs trade, using the different means collectively known as Instrumentality. The third ingredient is Opportunity which is dependent on the would-be victim; that is, if he/she shall be tempted/misled/forced to use and be eventually addicted to dangerous drugs. As part of the Holistic Campaign against dangerous drugs, these three (3) ingredients should be removed, or at least minimized and controlled.

Finally, there are the Root causes or Breeding Grounds of the drug menace which also need equal, if not more, attention and appropriate remedies. As enumerated above, among others, these include poverty, ignorance, loss of family values/solidarity and various factors associated with drug involvement. For purposes of Illustrating their impact on the drug menace, take the case of poverty. It is the most prevalent root cause why, most pushers would peddle prohibited drugs. Just like Jueting bet collectors they wont mind being apprehended and jailed repeatedly; because the other alternative Is to go hungry which is unacceptable, especially if they have families. The bottom line of stopping them from drug pushing Is helping them find or put-up alternative means/sources of livelihood. It Is therefore very crucial for the effectiveness and success of the Anti-Dangerous Drugs Campaign to address and solve; or at least alleviate, the root causes/breeding grounds of the drug menace.

In recapitulation, the Holistic Matrix of anti-drug measures and activities to be carried out by the different Units/Offices/Task Forces of the PNP is 3-tiered in composition. Reckoned from the drug crime outward, the first tier is the package of measures and activities designed to directly neutralize/stop the offenders, such as syndicates/drug lords/traffickers/etc.; and the Drug Chain or Instrumentalities and Activities. The second tier consist of a package of measures and activities designed to remove or reduce and/or suppress/drive a wedge to prevent the three Ingredients from combining together at the same time and place; so as to prevent crime. The third tier is a package of development measures and activities designed to address and solve, or at least mitigate, the root causes/breeding grounds that give rise to and/or abet the drug menace.

The 3-tiered Holistic Matrix of anti-drug menace measures and activities shall be carried out by the PNP through the 7-Pillar Approach. Major deficiencies in the usual five (5) pillars of the Criminal Justice System shall be addressed and solved, or at least mitigated. They are as follows:

1) Improve the image/credibility of the PNP and identify/weed out the misfits and scalawags from its ranks, especially those involved in the Drug Chain and syndicates;
2) Motivationally enlighten, organize and mobilize the Community Pillar to participate in and support the Anti-Dangerous Drugs Campaign.
3) Expedite the disposition of drug cases and improve the image/credibility of the Prosecution and Court Pillar).
4) Tap the Corrections Pillar in the reform/rehabilitation of drug offenders, especially the pusher.

In addition, there are (2) new pillars that shall be topped in the campaign against dangerous drugs: namely Enactment and the Rest-of-the World Pillars. The Enactment Pillar shall consist of Congress, Supreme Court, the President and other law-making entities of the government. They shall be tapped to enact amendments to RA 6425 and other existing drug-related laws and new laws that shall give more teeth to the campaign. Through the participation of the Enactment Pillar in the Criminal Justice system, the legal arena shall be broadened and the arms of the law lengthened/strengthened. Collaterally, it shall narrow down the sanctuary in which the drug violators seek refuge to escape the arms of the law.

The Rest-of-the World Pillar shall enable the PNP and the rest of the Law Enforcement Pillar to run after the transnational drugs syndicates like the 14K and Bamboo Gang: and plug/minimize the drug traffic to and from the Philippines. Exchange of information and relevant technologies that could be used in the Anti-Drugs Campaign could also be accessed through this pillar. The INTERPOL, ASEANAPOL, Defense/Military and Police attaches embassies/consulates, International NGOs, like the International Association of Chiefs of Police (IACP) and the like are the avenues through which the Rest-of-the World Pillar could be tapped against transnational syndicates and sources of drugs. This new pillar is but a natural consequence of "globalization of the world into a village".

b. Anti-Drug Strategy - Annex "H"

The proverbial linchpin that practically holds together and keep the drug menace "kicking" is the Profit Motive. It corresponds to what Karl Von Clause with termed as Center of Gravity of the enemy which should be subjected to the main attack. The main reason for the continued existence and proliferation of the illicit drugs trade, inspite of the continuing campaign of the government against it, because of its lucrative profitability. The only way to stop and close it, is to make it unprofitable to the drug syndicates. Hence, the Center of Gravity of the drug menace that shall be subjected to the main attack of our all-out and sustained Anti-Drug Campaign is the Profit Motive. The 7-Pillar Holistic Approach should therefore be concentrated towards the elimination of the Profit Motive, by making the illicit drugs trade quite unprofitable to all drug syndicates.

It is quite apparent from this analysis and the foregoing diagnosis (paragraph 1 b - A. above) that the best way to combat the drug menace is by applying the two-pronged Strategy of Supply Reduction and Demand Reduction. It shall inflict the most crippling blow on drug syndicates. As
indicated in the chart, it will simultaneously result to higher prices, scarcity of
dangerous drugs and much less number of drug users respectively. This
means that the drug syndicates shall be suffering great losses; and if
sustained, shall lead to their bankruptcy and eventual closure for good.

c. Board Force Implications for the PNP

Considering the Gargantuan magnitude of the drug menace, the PNP
must undertake some reconfiguration/refitting of its forces and resources from
its usual/ normal set-up. This is necessary, so as to empower/enable it to
effectively operationalize the 7-Pillar Holistic Approach and the Anti-Drug
Strategy. The corresponding Board Force Implications for the PNP are the
following:

1. It shall employ both its Line/Territory (PROs/PPOs, etc.) and National
Support Units (NSU) in the conduct of an all-out and sustained Anti-Drug
Campaign. Selected NSUs with suitable/relevant capabilities shall be task-
organize under PROs Task. Forces to track down the Drug syndicates
Hierarchies (DSHs) such as masterminds drug lords, traffickers, top cohorts in
the Police/Military/ Government and others above the street pusher level.
PROs with the support of other NSUs shall complement their efforts by
undertaking the 3 Core Components of Community Oriented Policing System.
(COPS) against street pusher and the entire Drug Chain or menace
spectrum/gamut; namely Full Service Policing (FSP), Problem Solving (PS)
and Community Partnership (CP). (Annex “T”) (For more details please read
pp. 7-45 and 75-88 of Reference g)

2. Together with other Pillars of the Criminal Justice System, the PNP as
Law Enforcement Pillar shall render FSP by conducting Crime Prevention
Drive (such as Police Visibility/Patrolling/Dangerous Drugs Awareness/etc.).
Crime Suppression Drive (such as Saturation/Buy bust/Checkpoint/etc.).
Crime Intervention Drive (such C’s Prompt Response to Reaction 166
calls/Addict-type of hostage/suicide negotiation and rescue operations/etc.).
Crime Attrition Drive (such as investigation/ prosecution/conviction/etc.) and
Crime Deterrence Drive (such as execution of first death convict who is a drug
lord (DSH) user Heinous Crimes Law and widely publicized/etc.) Coordination
shall be facilitated by the PNP through the Peace and Order Councils (POCs)
and the Low Enforcement Coordinating Committees (LECCS.). (Annex) (For
more explanation, please see pp. 53-57 and 81-82 of Refg)

3. With the help and support of the NOAs, LGUs, Congress, Judiciary, NGOs
and the private sector, the PNP shall perform PS endeavors to
address/remedy the root causes or Breeding Grounds that give rise to or abet
the drug menace; such Os creation of special courts to handle and expedite
the resolution of drug cases versus DSH; work. For the legislation of reforms
so as to increase the PNP legal weapon arena against DSH; modernization of
the Criminal Justice System to minimize graft and corruption; undertake
livelihood and value formation projects among the street level drug pushers;
etc. In addition to the POOs, Local Development Councils (LOCs) shall be
tapped in facilitating and coordinating this Core Component. (Annex "K") *(For more details, please read pp. 57-62 and 83 of Reference g)*

4. To strengthen and sustain its FSP and PS efforts against the drug menace/DSHs, the PNP shall harness/tap People’s Power by catalyzing/motivating, organizing and mobilizing Community Partnership: such as collaborating with the PTAs, Student organizations, civic clubs, business and industrial sectors and other NGOs and individuals, so that they could assist the government in general and the PNP in particular In waging an effective Anti-Drug Campaign, serving as "eyes and ears" of the PNP against DSH/Drug Chain, and the like. (Annex "I") *(For more detail, please read pp. 57-62 and 83 of Reference g)*

5. To have an effective COPS based Anti-Dangerous Drugs Campaign, the PNP shall strive hard to improve its credibility and gain the trust and confidence of the greater majority of our people. These are to be attained by intensifying and sustaining its Counter-intelligence efforts and implementing COMPLAN “PAGBABAGO” in order to weed out the misfits and scalawags from its ranks. These shall be complemented by value formation/moral renewal program, strict and discriminating recruitment of new personnel, enhanced training and the like. The Doctrine of Command Responsibility shall be strictly applied at all levels, so as to compel all PNP Unit Commanders to instill strict discipline, exercise closer control and supervision over their respective personnel.

d. Strategic Stages

The operationalization of the entire strategy shall be carried out by stages; namely General Preparations, All-Out Offensive, and Recovery and Empowerment.

Strategic Stage 1 - General Preparation - This will include orientation seminar for all RDs, DRDOs. PDS, CDs, Regional Staff, Regional Chiefs of NARG Regional Offices; Watch List and Brgy. Categorization workshop; IMPLANs formulation; Task Force activation and capability build up; training; coordination/ collaborating with NGAs, LGUs and NGOs; and the like.

Strategic Stage II - All-Out Offensive - It shall compass the launching and intensification of Supply Reduction Drive (SRD); Demand Reduction Drive (DDR); Neutralization of Drug Syndicates Hierarchy (DSH) such as the masterminds, drug lords, traffickers, cohorts in the police/military/government and others, excluding the street pushers; -Buy-bust operations and livelihood projects for pushers; addressing the root causes/breeding grounds of the drug menace through development clearing of drug-affected barangays; and the like.

Strategic Stage III - Recovery and Empowerment -This will be the culmination of what have been started in Strategic Stage II: such as prosecution, conviction, imprisonment and reformation of convicted DSH personalities new livelihood for pushers, recuperation and rehabilitation of drug dependents, empowerment of cleared barangays and eventual turn-over
of self-policing communities to barangay officials, and others. At the end of
this stage the Broad Force Implications shall have become moot and
academic; and the PNP,shall revert back to its normal/ usual configuration
and set up.

It should be emphasize that these stages are overlapping, especially II and III.

C. Concept of Operations

1. The above-strategic concept shall be operationalized by the PNP through
the execution, of the following Concept of Operations:

a. Supply Reduction Drive (SRD) - Annex "M"

   The PNP shall endeavor to reduce the supply side/segment of the Drug
Chain to the barest minimum level possible within an initial time frame of two
(2) years.

   This is to simultaneously drive’ the prices of drugs skyrocketing high
and create a cute shortage of the contraband to death kneel level. The PNP
shall bring this about by doing the following:

1. Production Control Measures

   a. Crop eradication operations (manual and aerial);
   b. Confiscation/forfeiture of plantation lands;
   c. Investigation and prosecution of owners, planters, guards, etc.;
   d. Interdiction operations to stop diversion of licit production by land,
   sea and air, including importation/smuggling ; and
   e. Others

2. Processing Control Measures

   a. Search and destroy operations to neutralize secret laboratories;
   b. Strict enforcement of regulations and close monitoring of processing
   chemicals and refining supplies to minimize diversion of licit precursor
   chemicals:
   c. Investigation and prosecution of owners, workers, suppliers, buyers,
   guards, etc. in this drug link: and
   d. Others.

3. Trafficking Control Measures

   Strict Customs operations to intercept drug shipments;
   Border and coastal patrol operations;
   Airport security to prevent pilferage/landing;
   Search and seizure operations, especially with the use of X-ray
   machines, K9 and the like;
   Bilateral and Multilateral cooperation;
   Investigation and Prosecution of traffickers, couriers and cohorts; and
   Others.
4. Financing Control Measures

a) International/bilateral cooperation to identify, investigate and, institute forfeiture proceedings against money laundering activities of drugs financiers;
b) Investigation and prosecution of DSH such as drug lords and financiers for tax evasion; and
c) Others.

5. Retailing/Pushing. Control Measures

a) Buy-bust operations;
b) Patrol/Police visibility operations;
c) Check Point operation;
d) Saturation Drives;
e) Raids of drug dens
f) Arrest, investigation and prosecution of pushers, as may be warranted;
g) Police-Community Cooperation; and
h) Others.

B. Demand Reduction Drive (DRD) - Annex "N"

Jointly and/or in collaboration with other NGAs, LGUs, NGOs and other members of joint Task Force Mabuhay the PNP shall exert all-out and sustained efforts to reduce, if not eradicate, the demand, side-segment of the Drug Chain to the barest minimum level possible within an initial time frame of two (2) years.

This drive shall be carried out by using all three (3) Prevention Approaches targeting all three (3) main groups of persons.

These approach and their respective target groups are as follows:

1. Primary Prevention Approach for Non-Users

Primary prevention attempts to discourage the initiation of drug use, especially by children and adolescents. It tries to keep them from "falling into the drug river". A sequence of mutually reinforcing measures is encompassed by primary prevention. The measures and their respective activities are the following:

a) Public Awareness
   Public service announcements
   Advertisements
   Press Conferences
   Press Materials
   Public Forums

b) Public Education
In-depth coverage on TV and radio
Newspaper feature
Parent mobilization and education
School curricula
Symposia for key influencers like parents teachers etc.

c) Attitude and Behavioral Change Reinforcement

Parenting skills training
Peer counseling
Resistance skills training
Alternatives to drug abuse

d) Social/Public Action

Neighborhood improvement
School renovation
Job creation
Drug-free zones
Police patrol and protection

2. Secondary Prevention Approach for "Experimenters" and Casual Drug Users

Secondary prevention (intervention) discourages the escalation of drug consumption by occasional or experimental users and encourages them to return to non-use it tries to get them "out of the drug river" before too much damage is done — and then keep them out. In addition to the measures listed under primary prevention, casual users may need direct, one-on-one assistance including identification and referral services and short-term counseling. Increased attention is being given to women of childbearing age who may put their unborn children at risk not only of fetal drug effects, but also of AIDS. Successful intervention reduces the prevalence of drug abuse.

The measures and their respective activities are as follows:

a) Outreach Identification and Referral

Community-based Information and referral networks
Employee assistance programs
Drug-related arrests
Emergency rooms
Health clinics
Social service agencies

b) Intervention

Hotlines
Crisis counseling
Short-term counseling
Emergency rooms
3. Tertiary Preventive Approach for Addicts and Recovering Persons

Tertiary prevention provides treatment and aftercare to help people get off and stay off drugs. It tries to save the casualties of drug use, to revive them, then help them stay "out of the drug river". Addicted and recovering people may profit from the kinds of measures listed under primary and secondary prevention, but typically will also need intense and extended one-on-one services as well as long-term support. Both the AIDS epidemic and the mounting numbers of children suffering from in utero drug exposure call for intensified prevention activities at the tertiary stage. Successful treatment and aftercare reduces the prevalence of drug abuse.

The measures and their respective activities are listed hereunder:

a.) Detoxification
   - Inpatient
   - Outpatient
   - "Social" detox

b) Chemically Assisted or Drug-Free
   - Outpatient
   - Inpatient
   - Short-term residential
   - Long-term residential

c) Relapse Resistance
   - Halfway houses
   - Aftercare programs
   - Support groups (e.g. Alcoholics Anonymous and Narcotics Anonymous)

   (This approach shall entail preparation of many Treatment/Rehabilitation Centers since there are about 1.7 million drug users.)

   It is most important to emphasize that a single approach can never do the full prevention job. The goal is to combine selected approaches in the most powerful sequence possible: to address as many risk groups as the prevention budget will allow; to include a range of key setting in the program; and to engage powerful influencers from all segments in these effort

C. Regional Anti-Illlegal Drug Task Forces (RAIDTAFs) and their Anti-Drug Syndicates Hierarchy (DSH) and Supply Reduction Drive (SRD) Operations.

RAIDTAFs shall be activated in all regions by the PROs to lead and conduct the Anti-DSH and SRD Operations of the Anti-Drugs Campaign. They shall be composed of contingents from the PROs down to City/Police Stations
and elements from the Regional Offices of Narcotics Group (NG), Criminal Investigation Group (CIG), Intelligence Group (IG) and Traffic Management Group (TMG) (Annex "0" - Organization Chart). Their Anti-DSH Operations shall target for neutralization the Masterminds, Drug Lords, Traffickers, top Cohorts from the Police/Military/Government and others above and excluding the pushers of the different drug syndicates in their respective regions. On the other hand, their SRD operations shall dismantle and stop the nefarious activities of the supply segment of the Drug Chain above and excluding retailing.

To effectively neutralize the DSH and dismantle/stop the supply segment above/excluding retailing in line with SRD, RAIDTAFs shall organize and apply as many Tracker Composite Teams (TCTs) as there are Drug Syndicates/Organized Groups in their respective regions. Each TCT shall consist of at least one personnel each from NG, CIG, IG, TMG and the PRO concerned; and organized as shown on Annex "P". The identities of the TCT members shall remain anonymous to preserve their tactical potency. A specific TCT is assigned and dedicated solely in the intelligence build up against each targeted Drug syndicate Organizational Group. Wherever they are (inside or outside the region) and whatever they do (remain in drug trade or shift to other Organized crime/s such as kidnapping, bank robbery/hold-up, carnapping etc.) the TCTs shall track down and follow them up.

Anti-DSH and SPD Operations II be conducted in three (3) phases, as follows:

Phase I - Surveillance/Case build up - This will include the review/updating of intelligence files, identification/listing of target DSH suspects and Drug Chain instrumentalities/locations/etc.; building up of the potential case to be filed later by listing possible witnesses scanning for pieces of evidence, etc.; and the like. These will be done primarily by TCTs with the support of the Intelligence Community in the PPOs.

Phase II - Negation Phase - This will be executed by sub-Phases: namely: Preparatory Proper and Post-Negation. In the Pre-Negation Sub-Phase coordination/ "test buys/Vapplication for warrants organization and equipage of operating team/s mission briefing-orientation/etc, shall be undertaken. In the Negation Proper Sub-Phase, the operation/raid is conducted SOCO evidence gathering/collection-proper handling of evidence/secure presence of Brgy. Officials/secure witnesses/arrest and TI of suspects/etc, shall be conducted. In the Post-Negation Phase, getting result of lob test/debriefing/preparation and filing of report/accounting of seized evidence/etc, shall be done. This phase shall be executed once the TCTs have completed their tasks and/or it is opportune.

Phase III - Legal Offensive Phase - It shall include the preparation and flung of criminal charges confiscation/forfeiture procedure pursuing tax evasion cases, providing protection to witnesses, preservation of and accountability for evidence, maximum security to prevent escape of D$H
suspects: case tracking and follow-up,’ prosecution activities and the like; until the case is resolved/decided by the courts. The goal here is to assure the conviction and secure the maximum penalty, preferably death, for the DSH suspects. This phase shall be done primarily by the PROs/PPOs/CPOs/Pol Stations concerned, so as not to tie down/over burden the RAIDTAFs and for continuity in the prosecution of cases.

D. PROs and Other Regional NSU and Their Anti-Pushers/LJusers, DRD, and BANAT operations.

a. Anti-Pushers/Users Operations

The Anti-Pushers/Users Operations such as the conduct of buy-bust, raids of drug, dens, arrest of those engaged in pot sessions and the like shall be retained and conducted by the PCOs through their respective PPOs/CPOs/Policc Stations/Precincts and Mobile Groups. With the help and support of NGAs, LGUs, NGOS, and other NSUs PROs/PPOs/CPOs/PSs/PPs shall also address the root causes/ breeding grounds that prompted them to be pushers/users such as undertaking livelihood projects and/or treatment and rehabilitation (Tertiary prevention) for them etc.

b. DRD Operations - These will be undertaken through Primary, Secondary and/or Tertiary Prevention Approaches. Tertiary. Prevention Approaches which shall be coordinated/initiated/pump—primed and/or carried out by PROs/PPOs/ CPOs/PSs/PPs, as the case maybe. These will be done with the support of other NSUs Regional Offices such as Police Community Relations Group (PCRG), Health Service (HS), Logistic Support Service (LSS), etc., as appropriate. The NGAs, LGUs, and NGOs shall likewise be catalyzed, organized and/or mobilized to help in this effort (Annex "Q"-PCR Plan)

(Note: Anti-Pusher/users and DRD Operations shall be done by the PROs through their respective PPOs/CPOs/PSs/PPs as part of their COPS implementation in their respective AORs; that is, FSP, PS and CP operations/activities.)

c. BANAT Operations

To disinfect/clear and empower drug-affected barangays to become self-policing communities and eventually turned-over to barangay officials, BANAT Operations shall be conducted thereat. For this purpose, a barangay shall be assessed by the Intelligence Community with the help of barangay Officials, and categorized according to the degrees or drug affectation. The categorizations shall be as follows:

Target priority 1 - Category 1 - Seriously affected - when 2.5% or more of the local population are drug dependents and/or existence of pushers/drug traffickers, drug syndicates and/or MJ plantation within the barangay.
Target Priority 2 - Category 2 - Less Seriously affected - when 1.0% to 2.49% of the local residents are drug dependent.

Target Priority 3 - Category 3 - Threatened to be affected - when less than 1% of the populace are drug dependents.

Target Priority 4 - Category 4 - Unaffected - when there are no pushers and users.

Parameters to be considered in this categorization should be:

a) Number of users and pushers
b) Presence of protectors/coddlers, syndicates
c) No of Drug related cases
d) Number of users and pushers apprehended and number of those who voluntarily surrendered for rehabilitation.

BANAT OPERATIONS in drug-affected barangays shall be conducted by the following outfits:

a) AIDPET - Annex 'R' (Organizational Chart)

The Anti-illegal Drugs People Empowerment Team or AIDPET is a PNP outfit trained on how to rid the drug-affected barangay of narcotics abusers and traffickers, and empower the barangay folks to become a self-policing community against the drug menace. (Annex "S"- AIDPET Program of Instruction)

b) MAT - Annex "T" (Organization Chart)

The Multi-Agency Development Task Force (MADTAF) Action Team or MAT is composed of personnel from the different NGAs, LGUs and/or NGQs. This outfit shall address the root-causes/Breeding Grounds that prompted pushers and abusers to indulge in drugs through development-oriented package of projects and activities.

The process of disinfesting and empowering a target barangay shall entail several operations and activities to be executed by phases by AIDPET and MAT. It shall be known as the Barangay Integrated Counter-Narcotics Enforcement Programs or BICEP. Its six (6) Phases are the following:

Phase I - Social Investigation and Planning - It shall include intelligence gathering about DSH personalities, pushers and users; baseline and social research to know the socio-economic root-causes of drug trafficking and addiction; operations and development planning; etc.

Phase II - Neutralization - At this stage, appropriate police operations by PNP line units shall be conducted to arrest ~H personalities, their goons/henchmen, pushers, etc. The objective is to remove the atmosphere of fear in the community.

Phase III - Deployment of AIDPET - It shall undertake the application of
Scanning - Analysis - Response - Analysis (SARA) problem-solving methodology designed to identify/locate who/what are the personalities that can be tapped as "Guardians" to counter the drug menace in the barangay (Annex "U"). Through People Empowerment Operations Methodology (Annex "V") these Guardians shall be organized and mobilized to form a link against the drug menace to be known as Anti-Narcotics Guardians Enforcement Link or ANGEL. More ANGELs shall be formed and in turn inter-linked with one another, until such time that the entire barangay is covered; which shall be collectively called ANGEL Chain – the nemesis of or anti-dotetothe Drug Chain. (For detailed explanation of SARA and Empower please read pp. 153-161 and 161-166 of reference g.

Phase IV - Deployment of MAT - This shall involve the implementation of development projects designed to address/alleviate the rootcauses; such as provide alternative livelihood for the pushers, worthwhile alternatives and rehabilitation for the drug, dependents; and the like.

Phase V - Barangay Empowerment - The AIDPET and MAT shall jointly empower the barangay folks against the drug menace by setting up ANGEL Chain to cover the entire barangay, organizing BINs, conducting rondas, educating the local folks about the ill effect of drugs, implementing operation "Private Eye", etc. This will continue until the barangay is completely rid of DSH personalities, pushers and ushers and the entire Drug Chain is completely dismantled/neutralized.

Phase VI - Self-policing Community - The barangay shall be declared drug free once the set of criteria are met (Annex "W"). This will be culminated with the signing of a Memorandum of Understanding (MOU) between the Brgy Chairman and the PNP PD/CD/COP in the presence of LGUs, NGOs, AIDPET, MAT, rehabilitated pushers and users. The AIDPET and MAT shall move to the next target barangay and repeat the phase. This program shall take about 2-3 months per barangay to complete, depending on the degree of affection and size of population/land area.

E. Counterintelligence

Counter-intelligence shall be intensified and sustained by IG and Intelligence personnel of RAIDTAFs and PROs/PPOs/CPOs/Police Stations/Precincts with the support of PTFIC, NB1, N1CA and AFP to identify and weed out the police, military, and other government personnel who are involved in Dangerous Drug Chain activities or connected with DSHs. The immediate superior of such misfits/ scalawags shall be held accountable under the Doctrine of Command Responsibility. There shall be strict screening (including drug test), close surveillance and supervision of police/military/government personnel who are tapped for anti-drug efforts.

F. Operation "Private Eye"

To enhance the intelligence and Counterintelligence efforts of the Anti-Narcotics Campaign, People’s Power shall be harness through the implement of Operation "Private Eye" by all RAIDTAFs and PROs. The citizenry shall serve as the "eyes and ears" of the police by collecting and reporting/submitting information/leads evidence against DSH personalities.
Drug Chain instrumentality and activities, and their cohorts in the police/military/government. Monetary and other incentives shall be offered and given to anyone who could so provide such info/leads/evidence that shall lead to the arrest of DSH elements (with or without warrant of arrest) who could be caught flagrante delicto (doctrine of citizen's arrest situations) and/or location of Drug Chain instrumentalities such as MJ plantations. The amount of reward/incentive shall be commensurate to the gravity of the crime/notoriety of DSH suspect/etc; and the schedule of rewards/incentives widely disseminated. The identity of the "Private eye/ear" shall remain anonymous and special payment scheme shall be devised and implemented to preserve same. In case it is compromised, security and assistance shall be provided to him/her; including availment of the Witness Protection Program, if qualified. (Annex "X"- Concept Paper)

G. Operation Guidelines

I) RAIDTAFs and PNP Units shall pursue aggressively the arrest, prosecution and conviction of DSH suspect dismantling of their Drug Chain instrumentalities such as MJ plantations, laboratories, support system, etc.

II) RAIDTAFs and PNP Regular Units shall conduct coordinated operation with each other, other law enforcement agencies, other pillars of the CJS, with support/assistance of the AFP, PTFIC, NBI and NICA. For this purpose, the Law Enforcement Coordinating Committees (LECCs) and Peace and Order Councils (POCs) at various levels shall be tapped.

III) The NGAs, LGUs, NGOs, and the Private Sector/Civil Society shall be harnessed in multi-agency/sectoral efforts and cooperation to address the root causes giving rise to and abetting the drug menace, especially the drug dependents and pushers.

IV) All RAIDTAFs Commanders and RDs, PROs shall be evaluated/rated and held accountable for the performance of their respective units as well as the involvement of their personnel in DSH/Drug Chain activities. For this purpose, the following are the performance indicators/parameters:

- Arrest, prosecution and conviction of DSH suspects
- Neutralization of Drug Syndicates and dismantling of Drug Chain Instrumentalities.
- No. of cases filed in court and conviction rate.
- No. of police/military/government personnel investigated/prosecuted for involvement in DSH/Drug Chain activities.
- No. of Barangay S cleared/empowered/self-policing
- No. of pushers and users rehabilitated.

D. TASKS

1) NHQ-PNP

A) DCO - overall supervisor/orchestrator
B) DI -
a) Furnish an updated Order of Battle on Illegal Drugs to all tasked units;
b) Provide timely intelligence and counterintelligence informations/ supports needed in the implementation of this plan;
c) Continuous updating of the illegal drugs situation;
d) Intensify information collection efforts to identify the users/abusers, pushers/ suppliers/ syndicates/ traffickers/ financiers, drug codlers/ protectors, drug dens/ lairs and outlets, plantation/ laboratory, drug network, their support systems and their modus operandi;
e) Assess the effort of all tasked units;
f) Assist NARG in liaising with the Rest of the World Pillar through to FLB and police attaches; and
g) Perform other tasks on order.

C) DO-

a) OPR in the conduct of this plan;
b) Monitor the implementation of this plan;
c) Assess the operational accomplishments and efforts of all tasked units; &
d) Perform other tasks on order.

D) DL -

a) Provide the necessary logistical support needed in the implementation of this plan; and
b) Perform other task on order.

E) DC-

a) Allocate necessary fund support in the implementation of this plant;
b) Perform other tasks on Order.

F) DIDM-

a) Assist the operating units in the conduct of SOCO investigation, documentation of arrested persons and seized documents and in the filing of appropriate charges in court against the suspects;
b) Monitor and follow up of all drug cases filed in court; and
c) Perform other tasks on order.

G) DPL

a) Assist NARG liaising with/tapping the Rest-of-the-World Pillar through its NCB Secretariat;
b) Support the campaign by proposing anti-drug legislation and tapping the Enactment Pillar; and
c) Perform other tasks on order.

H) DPCR-
a) Seek the assistance of the leaders of the various NGOs, POs, tri-media, religious sectors, business and other sectors in the conduct of anti-illegal drugs operations;

b) Responsible for the dissemination to the public of the various thrusts of the PNP in containing illegal drugs problem throughout the country;

c) Responsible in the conduct of press conferences/releases; and

d) Perform other tasks on order,
1) Utilize respected members of the Toast Masters Clubs as part of the PROs Speakers Bureau;

m) Track down status of all narcotics cases in coordination with DQJ and other members of the criminal justice system;

n) Strengthen counter-intelligence activities against all PNP personnel suspected of using, pushing/recycling seized narcotics evidence and protecting drug lords;

o) Jointly assess with RFO, NARG and concerned members of RPOC the result of campaign;

p) Submit periodic reports; and

q) Perform other tasks on order.

3) NARG - Jointly responsible with all PROs in the conduct of these operations.

a) Performs primarily role in Anti-Narcotics campaign against Transnational and national (two or more regions) drug syndicates and sources;

b) Furnish an Updated Order of Battle on Illegal Drugs to all tasked units;

c) Provide timely intelligence and counterintelligence information's/ supports needed in the implementation of this plan:

d) Continue updating the illegal drugs situation;

e) Identify Users/abusers, pusher/suppliers, drug coddles/producers, syndicates/traffickers/financiers, including their residences, safe houses, laboratory, places of conveyances and other related information and take swift and aggressive action against them;

f) Conduct case build-up/surveillance on suspected users/abusers, pushers/suppliers, drug coddlers/producers and syndicates/traffickers/financiers.

g) Intensify information collection efforts to identify the Users/abusers, pushers/suppliers, drug coddlers/producers their support systems and their modus operandi;

h) Responsible for supply reduction related activities;

i) Track down status of all narcotics cases, in coordination with DOJ and other members of the criminal justice system;

j) Strengthen counter-intelligence activities against all PNP personnel suspected of using, pushing/recycling said narcotics evidence and protecting drug lords;
k) Assess the effort of all tasked units; and together with IG, validate cleared/empowered/self-policing barangays declared as such by RAIDTAFs and PROs;

l) Primary arm/liaison of PNP In tapping/harnessing the Rest-of-the-World Pillar; and

m) Perform other tasks on orders.

4. CIG-

a) Assist the operating units in the conduct of investigation and In the filing of appropriate charges in court against the suspects;
b) Provide technical and legal assistance to the operating units;
c) Intensify collection efforts to identify the users/ abusers, pushers/suppliers, drug coddlers/protectors. their support systems and their modus operandi:
d) Identify users/abusers, pusher/suppliers, drug coddlers/protectors, syndicates/traffickers/financiers including their residences, safe houses, laboratories places of conveyances and other related information and take swift and aggressive action against them;
e) Conduct case build-up/surveillance on suspected uses/abusers, pushers/suppliers, drug coddlers/protectors and syndicates/ traffickers/ financiers; and

f) Perform other tasks on order

5) IG

a) Furnish an Updated Order of Battle on illegal Drugs to all tasked unit;
b) Provide timely intelligence and counter-intelligence informations/ supports needed in the implementation of the plan;
c) Undertake continuous updating of the illegal drugs situation;
d) Intensify information collection efforts identify the user/abusers, pushers/suppliers/syndicates/traffickers/financiers drug coddlers/protectors, drug dens/lairs and outlets, plantation/laboratory drug network, their support systems and their modus operandi;
e) with NARG, validate Barangays declared as cleared/empowered/ self policing by PROs and/or RAIDTAI’s BANAT; and

f) Perform other tasks on order.

6) ASG-

a) Increase police visibility at the NAIA domestic airports and other airports nationwide;
b) Conduct open verification (SITA) to all passengers entering or departing from the airport;

c) Employ K-9 to detect and interdict drug cargoes/shipments: and
d) Perform other tasks on order.

7) LS

a) Provide legal assistance to the operating units especially in the conduct of investigation, filing of appropriate charges and in monitoring the development of cases; and
b) Perform other tasks on order.

8) CLS

a) Provide technical assistance in the conduct of investigation, preservation of evidences and other related actions;
b) Make available the crime laboratory for drug testing; and
c) Perform other tasks on order

4. COORDINATING INSTRUCTIONS:

a. All PNP Units currently involved in anti-abuse operations will reassess their respective resources and capabilities and renew tie-ups with other government units with a similar mission and with other non-government organizations supportive of the effort to get rid of the current drug abuse problem.

b. All Target Priority 1, Target Priority 2 and Target Priority 3 barangays must be cleared/empowered within a time frame of two (2) years from the start of these operations. Periodic accomplishments reports will be used as basis in rating the performance of concerned operating unit commanders to be validated by NARG, 1G, DO, DI. DPCP, AND DIDM.

c. Tasked PNP units shall totally operate within existing logistical capabilities. Requirements for additional funds support of RAIDTAFs and PROs shall be submitted to DO ASAP. Release funds will be evaluated vis-a-vis the barangay categorizations which will be submitted by each RPO and RA1DTF. More targets would mean more funds supports, but would require accompanying concrete accomplishments duly validated/ confirmed by NARG, IG, et al.

d. All recovered drugs/evidences shall be immediately disposed off as per existing SOP, once its evidentiary use is finished; in the presence of media and credible witnesses.

e. The Phasing as listed in this LOI is only a guide and may not be strictly followed one after the other. Tasked units may jump from one phase to
another or may start at any phase, provided all the listed/required pliases of operations are accomplished.

f. In declaring a home drug-free, no members of the family must be involved in illicit drugs in any manner; and shall be attested by the barangay Chief Executive. Conversely, for a barangay to be declared drug-free, a certification must be secured from the local Peace and Order Council and duly validated by NARG and 1G.

g. The usual practice of "plea bargaining" during trial of a drug pusher for his case to be downgraded to drug abuse is hereby discouraged.

h. As basis for fund support to be released targets must be specified and categorized in accordance with this campaign plan and own schedule of clearing specific targets must be clearly indicated.

i. Submit IMPLANS to this Hqs (Attention: DO) NLT ten (10) days from date of receipt hereof.
CHAPTER IV
PROCEDURES IN DRUG LAW ENFORCEMENT OPERATIONS

The DANGEROUS DRUGS ACT OF 1972 (R. A. 6425) As Amended by P.D. Nos. 1675, 1683, 1708, BATAS PAMANSA BLG. 179 and R.A. 7659, is the Special Law primarily being enforced by the PNP NARCOTICS GROUP in carrying out its mandated mission to protect the citizenry against dangerous and other prohibited drugs and substances.

In enforcing the said Law, at least seven (7) types of formal drug enforcement operations are undertaken: intelligence/undercover operations, hi-y-hust, enforcement of a search warrant, airport, seaport and postal interdiction, control delivery, compliance investigation, and marijuana eradication. The specific provisions of the law which are being enforced in the conduct of the said operations and are presented in this chapter are the following:

1. Section 3 — Importation of Prohibited drugs;
2. Section 4 — Sale, Administration, Delivery, Distribution and Transportation of Prohibited Drugs;
3. Section 5 — Maintenance of a Den, Dive or Resort for Prohibited Drugs Users
4. Section 6 — Employees, Visitors of Prohibited Drugs Den;
5. Section 7 — Manufacture of Prohibited Drug;
6. Section 8 — Possession or Use of Prohibited Drugs;
7. Section 9 — Cultivation of Plants which are Sources of Prohibited Drugs;
8. Section 10 - Records of Prescriptions, Sales, Purchase, Acquisitions and/or Deliveries of Prohibited Drugs;
9. Section 13 - Possession of Opium Pipe and other Paraphernalia for Prohibited Drugs;
10. Section 14 - Importation of Regulated Drugs;
11. Section 14-A — Manufacture of Regulated Drugs;
12. Section 15 - Sale, Administration, Dispensation, Delivery, Transportation and Distribution of Regulated Drugs;
13. Section 15-A - Maintenance of a Den, Dive or Resort for Regulated Drug Users;
14. Section 16 - Possession or Use of Regulated Drugs;
15. Section 17 - Records of Prescription, Sales, Purchases, Acquisitions and/or Deliveries of Regulated Drugs;
16. Section 20 - Application of Penalties, Confiscation and Forfeiture of the Proceeds or Instruments of the Crime;
17. Section 21 - Attempt and Conspiracy; and
18. Section 25 - Records Required of Pharmacists, Physicians, Veterinarians or Dentists Dispensing or Prescribing Dangerous Drugs, and of Importers, Manufacturers, Wholesalers, Distributors, Dealers and Retailers of Dangerous Drugs.
19. Section 27 - Criminal Liability of Possessor or User of Dangerous Drugs During Social Gatherings.
To effectively enforce the Law, the NARCOTICS GROUP formulated and institutionalized procedures for the adherence of all PNP personnel involved in anti-ding operations to make them competent and efficient in their job, thus ensuring the successful prosecution of the case and eventually result in the conviction of the suspect(s) arrested.

The Law

(Republic Act No. 6425)
THE DANGEROUS DRUGS ACT OF 1972

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

SECTION 1. Short Title. - This Act shall be known and cited as the "Dangerous Drugs Act of 1972"

ARTICLE I
DEFINITION OF TERMS

SEC. 2. Definitions. — As used in this Act, the term:

(a) "Administer" — refers to the act of introducing any dangerous drug into the body of any person, with or without his knowledge by injection, ingestion or other means or of committing any act of indispensable assistance to a person in administering a dangerous drug to himself;

(b) "Board" — refers to the Dangerous Drugs Board created under Section 35. Article VIII of this Act:

(c) "Centers" — refers to any of the treatment and rehabilitation centers for drug dependents referred to in Section 34, Article VII of this Act;

(d) "Cultivate or Culture" — means the act of knowingly planting, growing, raising or permitting the planting, growing or raising of any plant which is the source of a prohibited drug;

(e) "Dangerous Drugs" — refers to either:

(1) 'Prohibited drug', which includes opium and its active components and derivatives, such as heroin and morphine; coca leaf and its derivatives, principally cocaine; alpha and beta eucaine; hallucinogenic drugs, such as mescaline, lysergic acid diethylamide (LSD) and other substances producing similar effects; Indian hemp and its derivatives; all preparations made from any of the foregoing; and other drugs and chemical preparations, whether natural or synthetic, with the physiological effects of a narcotic or a hallucinogenic drug; or (As amended by B. P. 179 dated March 2, 1982)
(2) "Regulated drug", which includes self-inducing sedatives, self-inducing sedatives, such as secobarbital, pentobarbital, barbital, amobarbital and any other drug which contains a salt of barbituric acid; any salt, isomer or salt of an isomer, of amphetamine, such as benzphetamine or dexamphetamine, or any drug which produces a physiological action similar to amphetamine; and hypnotic drugs, such as methaqualone, nitrazepam or any other compound producing similar physiological effects; (As amended by PD No. 1683 dated March 14, 1980)

(f) "Deliver" — refers to a person's act of knowingly passing a dangerous drug to another personally or otherwise; and by any means, with or without consideration;

(g) "Drug dependence" — means a state of psychic or physical dependence, or both, on a dangerous drug, arising in a person following administration or use of that drug on a periodic or continuous basis;

(h) "Employee" of a prohibited drug den, dive or resort includes the caretaker, helper, watchman, lookout and other persons employed by the operator of a prohibited drug den, dive or resort where any prohibited drug is administered, delivered, distributed, sold or used, with or without compensation, in connection with the operation thereof;

(i) "Indian Hemp" — otherwise known as 'Marijuana', embraces every kind, class, specie of the plant cannabis sativa L., including cannabis americana, hashish, bluing, giin^i, cliurriis and ^unjab, and embraces every kind, class and character thereof, whether dried or fresh and flowering, flowering or fruiting tops or any parts or portions of the plant, seeds thereof, and all its geographic varieties, whether as a reefer, resin, extract, tincture or in any form whatsoever; (As amended by B.P. 179 dated March 2, 1982)

(j) "Manufacture" — means the production, preparation, compounding or processing of a dangerous drug either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, and shall include any packaging or repackaging of such substance or labeling or relabeling of its container; except that such terms do not include the preparation, compounding, packaging, or labeling of a drug or other substance by a duly authorized practitioner as an incident to his administration or dispensing of such drug or substance in the course of his professional practice;

(k) "Narcotic drug" — refers to any drug which produces insensibility, stupor, melancholy or dullness of mind with delusions and which may be habit-forming, and shall include opium, opium derivatives and synthetic opiates;

(1) "Opium" — refers to the coagulated juice of the opium poppy (pupaver somniferum l) and embraces every kind, character and class of opium, whether crude, or prepared, the ashes or refuse of the same: narcotic
preparations thereof or therefrom; morphine or any alkaloid of opium; preparations in which opium, morphine or any alkaloid of opium enters as an ingredient; opium poppy; opium seeds; opium poppy straw; and leaves or wrappings of opium leaves, whether prepared for use or not;

(As amended by B.P. 179 dated March 2, 1982)

(m) "Pusher" — refers to any person who sells, adminsters, delivers, or gives away to another, on any terms whatsoever, or distributes in transit or transports any dangerous drug or who acts as a broker in any of such transactions, in violation of this Act; •

(n) "School" — includes any university, college, or institution of learning, regardless of the course or courses it offers;

(o) "Sell" — means the act of giving a dangerous drug, whether for money or any other material consideration;

(p) "Use" — refers to the act of injecting, intravenously or intramuscularly, or of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking, or otherwise introducing into the physiological system of the body, any of the dangerous drugs;

(q) "Opium poppy" — means any part of the plant of the species papaver somniferum L., including the seeds thereof.

ARTICLE II
PROHIBITED DRUGS

SEC. 3. Importation of Prohibited Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall import or bring into the Philippines any prohibited drug. (As amended by Section 13, R.A. 7659, dated December 13, 1993.) Notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary, if the victim of the offense is a minor, or should a prohibited drug involved in any offense under this Section be the proximate cause of the death of a victim thereof, the maximum penalty herein prohibited shall be imposed.

SEC. 4. Sale, Administration, Delivery, Distribution and Transportation of Prohibited Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall sell, administer, deliver, give away to another, distribute, dispatch in transit or transport any prohibited drug, or shall act as a broker in any ,of such transactions. (As amended by Sec. 13, R.A. 7659, dated Dec. 13, 1993.)

SEC. 5. Maintenance of a Den, Dive or Resort for Prohibited Drug Users.
— The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person or group of persons who shall maintain a den, dive or resort where any drug is used in any form or where such prohibited drug in quantities specified in Section 20, Paragraph 1 of this Act are found. (As amended by Section 13, R.A. 7659, dated December 13, 1993.)

Notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary, the maximum of the penalty shall be imposed in every case where a prohibited drug is administered, delivered or sold to a minor who is allowed to use the same in such place.

Should a prohibited drug be the proximate cause of the death of a person using the same in such den, dive or resort, the maximum penalty herein provided shall be imposed on the maintainer notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary. (As amended by Section 6, R.A. 7659, dated December 13, 1993.)

SEC. 6. Employees, and visitors of Prohibited Drug Den. The penalty of imprisonment ranging from two thousand to six thousand pesos shall be imposed upon:

(a) Any employee of a prohibited drug den, dive or resort; and

(b) Any person who, not being included in the provisions of the next preceding paragraph, shall knowingly visit any prohibited drug, den, dive or resort.

SEC. 7. Manufacture of Prohibited Drug. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall manufacture any prohibited drug subject to the provisions of Section [20] 17 of R.A. 7659. (As amended by Section 13, R.A. 7659, dated Dec 13, 1993.)

SEC. 8. Possession or Use of Prohibited Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall possess or use any prohibited drug. (As amended by Section 13, R.A. 7659, dated Dec. 13, 1993.)

SEC. 9. Cultivation of Plants which are Sources of Prohibited Drugs. —

The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who shall plant, cultivate or culture on any medium Indian hemp, opium poppy [papaver somniferiiin L] or any other plant which is or may hereafter be classified as dangerous drug or from which any dangerous drug may be manufactured or derived. (As amended by Sec. 13, R.A. 7659, dated Dec. 13, 1993.)
The land or portions thereof, and/or greenhouses on which any of said plants is cultivated or cultured shall be confiscated and escheated to the state, unless the owner thereof can prove that he did not know of such cultivation or culture despite the exercise of due diligence on his part.

If the land involved is part of the public domain, the maximum of the penalties herein provided shall be imposed upon the offender.

SEC. 10. Records of Prescriptions, Sales, Purchase, Acquisitions and/or Deliveries of Prohibited Drugs. — The penalty of imprisonment ranging from one year to six years and a fine ranging from one thousand to six thousand pesos shall be imposed upon any pharmacist, physician, dentist, veterinarian, manufacturer, wholesaler, importer, distributor, dealer or retailer who violates or fails to comply with the provisions of Section 25 of this Act, if the violation or failure involves a prohibited drug.

The additional penalty of the revocation of his license to practice his profession, in case of a practitioner, or of his or its business license, in case of a manufacturer, seller, importer, distributor or dealer shall be imposed.

ARTICLE III
REGULATED DRUGS

SEC. 14. Importation of Regulated Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall import or bring any regulated drug in the Philippines. (As amended by Sec. 14-A, R.A. 7659, dated Dec. 13, 1993.)

SEC. 14-A. Manufacture of Regulated Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall engage in the manufacture of any regulated drug. (As amended by Sec. 14, R.A. 7659, dated Dec. 13, 1993.)
SEC. 15. Sale, Administration, Dispensation, Delivery, Transportation and Distribution of Regulated Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who, unless authorized by law, shall sell, dispense, deliver, transport or distribute any regulate drug.

Notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary, if the victim of the offense is a minor, or should a regulated drug involved in any offense under this Section be the proximate cause of the death of a victim thereof, the maximum penalty herein prohibited shall be imposed. (As amended by Section 14, R.A. 7659, dated Dec. 13, 1993.)

SEC. 15-A. Maintenance of a Den, Dive or Resort for Regulated Drug Users.

The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person or group of persons who shall maintain a den, dive or resort where any regulated drug is used in any form, or where such regulated drug in quantities specified in Section [20] 17, Paragraph 1 of [this Act] R.A. 7659 are found.

Notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary, the maximum penalty herein provided shall be imposed in every case where a regulated drug is administered, delivered or sold to a minor who is allowed to use the same in such place.

Should a regulated drug be the proximate cause of the death of a person using the same in such den, dive or resort, the maximum penalty herein provided shall be imposed on the maintainer notwithstanding the provisions of Section [20] 17 of [this Act] R.A. 7659 to the contrary. (As amended by Sec. 15, R.A. 7659, dated Dec. 13, 1993.)

SEC. 16. Possession or Use of Regulated Drugs. — The penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos shall be imposed upon any person who shall possess or use any regulated drug without the corresponding license or prescription, subject to the provisions of Section [20] 17 of R.A. 7659. (As amended by Sec. 16, R.A. 7659, dated Dec. 13, 1993.)

SEC. 17. Records a/Prescription, Sales, Purchases, Acquisitions and/or Deliveries of Regulated Drugs. — The penalty of imprisonment ranging from six months and one day to four years and a fine ranging from six hundred thousand pesos to ten million pesos shall be imposed upon any pharmacist, physician, dentist, veterinarian, manufacturer, wholesaler, importer, distributor, dealer or retailer who violates or fails to comply with the provisions of Section 25 of this Act, if the violation or failure involves a regulated drug.
ARTICLE IV

Provisions of Common Application to Offenses Penalized under Articles II & III

SEC. 20. Application of Penalties, Confiscation and Forfeiture of the Proceeds or Instruments of the Crime. —The penalties for offenses under Sections 3, 4, 7, 8 and 9 of Article II and Sections 14, 14-A, 15 and 16 of Article III of this Act shall be applied if the dangerous drugs involved is in any of the following quantities.

1. 40 grams or more of opium;
2. 40 grams or more of morphine;
3. 200 grams or more of shabu or methylamphetamine hydrochloride;
4. 40 grams or more of heroin;
5. 750 grams or more of Indian hemp or marijuana;
6. 50 grams or more of marijuana resin or marijuana resin oil;
7. 40 grams or more of cocaine or cocaine hydrochloride; or
8. In the case of other dangerous drugs, the quantity of which is far beyond therapeutic requirements, as determined and promulgated by the Dangerous Drugs Board, after public consultations/hearings conducted for the purpose.

Otherwise, if the quantity involved is less than the foregoing quantities, the penalty shall range from prison correctional to reclusion perpetua depending upon the quantity.

Every penalty imposed for the unlawful importation, sale, administration, delivery, transportation or manufacture of dangerous drugs, the cultivation of plants which are sources of dangerous drugs and the possession of any opium pipe and other paraphernalia for dangerous drugs shall carry with it the confiscation and forfeiture, in favor of the Government, of all the proceeds of the crime including but not limited to money and other assets obtained thereby and the instruments or tools with which it was committed, unless they are property of a third person not liable for the offense, but those which are not of lawful commerce shall be ordered destroyed without delay.

Any apprehending or arresting officer who misappropriates or misapplies or fails to account for seized or confiscated dangerous drugs or plant-sources of dangerous drugs or proceeds or instruments of the crime as herein defined shall after conviction be punished by the penalty of reclusion perpetua to death and a fine ranging from five hundred thousand pesos to ten million pesos. (As amended by Section 17, R.A. 7659, dated Dec. 13, 1993.)

SEC. 21. Attempt and Conspiracy. —The same penalty prescribed by this Act for the commission of the offense shall be imposed in case any attempt or conspiracy to commit the same in the following cases:
a) importation of dangerous drugs;
b) sale, administration, delivery, distribution and transportation of dangerous drugs;
c) maintenance of a den, dive or resort for prohibited drug users;
d) manufacture of dangerous drugs; and
e) cultivation or culture of plants which are sources of prohibited drugs.

Note: For the complete text of the R.A. 6425, As Amended, please refer to the Appendices.

OPERATIONS PROCEDURES

The anti-drug operations procedures encompass three phases: case build-up phase, negation phase, and prosecution phase, wherein particular activities in each phase are being undertaken and accomplished before one can proceed to the next. These procedures have been standardized and institutionalized as guidelines of all PNP personnel involved in anti-drug operations to make them competent and efficient Narcotics Agents. Investigation procedures, on the side, may vary in each situation and to the team leader, or investigator is left enough discretion to adopt a manner best called for by the case on hand, provided he works within the limits of proper discharge of duty and without violating any law. There are however, standard procedures for the examination of suspects, collection and handling of evidence, and documentation of the suspects.

1. CASE BUILD-UP PHASE

a. Conduct of Intelligence/Undercover Operations

The efficiency of a law enforcement organization depends greatly on its ability to produce intelligence and be able to utilize it to its advantage to accomplish its mission.

Generally, and primarily the NID produces the intelligence required by the DNG to assist him in formulating policies and making decisions. Other operating units/offices supports the NID when directed, in its collection efforts as well as in processing information it receives from various sources for production of intelligence. In doing so, intelligence operations are, in effect being undertaken to be able to accomplish what it is being directed to do.

Intelligence produced must be prosecution oriented to ensure the conviction of the suspect(s). To be so, adopting the doctrines in police intelligence, procedures are formulated for the adherence of narcotics operatives in conducting intelligence operations:

1) The narcotics intelligence operative/Agent shall:
a) Report information received. The conduct of intelligence operations precedes the submission of a written Summary of Information which summarizes the information gathered overtly from various sources: friends, neighbors, other government agencies, non-government agencies, foreign counterparts, etc. It states, among others, the name and address of the subject, the criminal activity he is allegedly engaged in and other information that may need to be verified and developed for negation operations. It also indicates the reliability of the source and the accuracy of the report.

b) Prepare Pre-Operations Order (Pre-opord). The operative concerned shall prepare the Preopord for the approval and issuance by the Chief, NID, or the Chief of Office concerned or his Deputy in his absence, as the case may be, indicating therein the name and address of the subject or target personality: the criminal activity the subject is allegedly engaged in; type of intelligence operations to be undertaken; the names of personnel involved; the armaments to be carried by the operative, as well as the vehicle he is to use, if any, to include its plate number: and the duration of the intelligence operations.

c) Have pre-opord validated. A copy of the Pre-operations Order must be furnished TOC, NARC GROUP (by NCR-based Offices/Units only) which issues the CONTROL NO. to validate the order.

d) Coordinate with PNP Territorial Unit concerned (Optional). Discretion is given the team leader of the intelligence team the necessity to coordinate with the territorial unit having operational jurisdiction over the area of intelligence operation, considering that no overt police actions will be undertaken and to preserve the confidentiality of the operations.

e) Submit result of intelligence operations. Result of intelligence operations must be reported in any appropriate form to the Chief, NID or Chief of Office/Unit, as the case may be, indicating therein his findings and recommendations. The report shall also be appended with corresponding annexes, such as maps, or sketches, photographs or video tapes, background investigation/records checks result of lest buy and other documents gathered. The intelligence operative/agent concerned must keep and preserve notes and record any valuable information he gathered. These documents may be used to strengthen the credibility of the arresting officers during court proceedings/ trial as these are proof that sufficient information regarding the suspect and his activities had been gathered and documented prior to his arrest.

b. Processing of Information gathered

Upon receipt of the result of intelligence operations, Chief, N1D, or Chief of Office/Unit concerned shall evaluate the report, collate it with other report/information received regarding the matter, after which he shall make his analysis.

c. Dissemination of Intelligence produced.
If the analysis resulted in the production of intelligence then he shall prepare a Case Operation Plan, if the subject belongs to a high level drug trafficker which necessitates a further inquiry, or order the conduct of a particular narcotics operations for the neutralization of subject, if the latter is a third level drug trafficker.

The succeeding procedures in negation phase shall be followed.

2. NEGATION PHASE

The negation phase comprises two stages: the conduct of overt narcotics operations and the investigation proper.

a. Conduct of Overt Narcotics Operations

**Buy-bust operations**

1) Chief of Office/Unit shall undertake the following:

a) Prepare and submit Pre-operations Report indicating the name of the suspect/s, general area of operations, description and quantity of drugs subject of the offense and the team leader and members of the operating team/s, to include the vehicles to be used with their respective plate numbers to NARC GROUP TOC for issuance of the latter of OPERATIONS COORDINATION SHEET for NCR operations; while for the RNOs, the SOP at their respective PROs regarding the matter shall be adhered to strictly.  
b) Designate a Team Leader, preferably an Officer, who shall:

(1) Formulate an operations plan briefly stating the: situation, mission, target personality(ies), friendly forces, and (lie specific action to be carried out by his team, each member having specific role to undertake:

(a) as poseur-buyer;  
(b) as arresting officer (s);  
(c) as evidence custodian;  
(d) as security/back-up; and  
(e) as coordinator, in addition to other duty.  

(2) Shall issue the designated poseur-buyer with the needed marked money covered with corresponding receipt.  
   The poseur-buyer shall then have the said marked money processed by the Crime Laboratory for ultra-violet powder thru a Letter request signed by the Chief of Office/Unit

(3) Conduct inspection of personnel involved to ensure the operational readiness of the personnel involved: whether they are equipped with handcuffs, communications equipment and other investigative equipment/documents necessary in the conduct of said operations.
Poseur-buyer must be equipped with electronics equipment (transmitter) in cases where his movements may not be visible so that his transaction with the suspect/s can be monitored.

Designated evidence custodian of the team (seizing officer) shall also be equipped with evidence bag or envelop to secure the evidence confiscated where he shall indicate therein the name of the suspect from whom the dangerous drug was confiscated, the kind of drug confiscated, approximate weight, time and date of confiscation, and affix his signature:

(4) Conduct briefing on how the operation will be carried out and ensure that each and everyone understood his specific role:

a) Execute an affidavit attesting the facts personally known to him in connection with a specific offense committed by the person(s) subject of the warrant and the description of the place to be searched and the things to be seized;

b) Append a copy of the result of test-buy conducted on subject during the case build-up phase in the application; the sketch of the area and the place subject to be searched; and other documents which are deemed necessary to obtain a search warrant;

c) Designate two deponents preferably the one who conducted the test buy, and the other who has extensive and intensive knowledge of the subject's illegal activities or the informant himself, if willing. Each shall execute his respective depositions and affirm the same before a judge who shall conduct an investigation to determine whether there is probable cause in issuing the search warrant being secured;

d) Together with the two deponents, shall personally apply for the issuance of search warrant before the court having jurisdiction of the area where the place subject to be searched is located;

e) Should the application be approved and a search warrant was issued, prepare and submit Pre-operations Report indicating the name(s) of the suspect(s), general area of operations, description and quantity of drugs subject of the offense, the kind of operations to be undertaken; the team leader and members of the operating team(s), to include the vehicles and respective plate numbers, as well as the armaments to be used to Chief of Office/Unit concerned for approval.

2) Having approved the Pre-Operations Report, shall submit a copy of the same to NARC GROUP TOC for issuance by the latter of OPERATIONS COORDINATION SHEET which will be submitted to the Police Territorial Office having jurisdiction over the place where the operations shall be conducted for its information and appropriate action;

3) Shall direct Team Leader to formulate operations plan to be carried out by the team, each member is designated with specific role to undertake:
a) as member of entering/searching party;
b) as evidence recorder/custodian;
c) as photographer;
d) as member of perimeter security, one of who shall be in uniform
e) as back-up (optional)

4) Shall supervise the conduct of briefing by the TL on how the plan is to be carried out; The discretion on when to conduct the briefing is left with the Team Leader: preferably it should be undertaken within an ample time immediately prior to jump-off. The search warrant must be enforced in the daytime, unless it is specifically ordered in the warrant that it be served at any time of the day or night, within ten (10) days from its date of issuance. (Section 8, & 9, Rules of Court) At the area, the TL shall undertake the following:

a) Coordinate with the PNP territorial unit as well as the Barangay Office having jurisdiction of the area where the search warrant shall be enforced;

b) Secure at least one competent witness, resident in the neighborhood/locality prior to the enforcement of the search warrant (Section 7, Rule 126 Rules of Court);

c) The Team Leader must identify himself and inform the occupant/s of the house of his authority and purpose;

d) Should he and his team be denied entry, even after he had identified himself and had informed the owner or occupants of the house or place to be searched, his purpose and authority, he may break open any outer or inner door or window or any part of the house or place or anything therein, (Sec. 6, Rule 126, Rules of Court) in the presence of the witness or barangay officials;

Guidelines/Procedures to be observed by members of the team:

• Conduct of search shall be carried out as planned by the designated searching party who shall be accompanied by a recorder and evidence custodian duly supervised by the Team Leader, and in the presence of the witness, and owner of the place or members of the household;

• Subject of the offense must be duly photographed on the place where it was discovered prior to its seizure; it shall be placed in an evidence bag/envelop and recorded in the Inventory of Property seized form indicating therein the subject of the offense, the quantity, time and date and place of its seizure;

• After the search, the recorder/evidence custodian shall have the Receipt of Property Seized signed by the owner of the stuff seized or occupant or any member of the household where the subject of the offense was seized, in the
presence of the witness and duly photographed, a copy which shall be given
the latter (Sec. 10, Rules 126, Rules of Court); If the place was vacant

• Likewise, the Team Leader, shall have the owner/occupant of the house
sign a Certificate re Lawful and Orderly Conduct of Search form in the
presence of the witness and duly photographed. (It would be more credible to
have the owner/occupant of the house himself execute a manifestation
regarding the same); and

(5) When approaching the place of operations direct the designated
Coordinator to personally coordinate with the Police territorial unit having
operational jurisdiction of the area where the operations shall be undertaken
furnishing it with a copy of
the Operations Coordination Order issued by the NARC GROUP TOC.;

(6) Execute operations plan accordingly. In effecting arrest of suspect,
Sections 2 & 9, Rule 113, of the Rules of Court must be duly observed.

(7) Have persons arrested searched for dangerous weapons or anything
which may be used as proof of the commission of the offense. (Section 12,
Rule 126, Rules of Court) And thereafter, handcuffed and secured while
informing/reading him of his Constitutional rights. Have poseur-buyer turn-
over evidence acquired in the consummated sale to the team Evidence
Custodian who shall place the same in an evidence envelop or bag and
properly documented in a Receipt of Property Seized, a copy of which shall
be given the owner of the dangerous drugs confiscated who shall be asked to
affix his signature conforming the seizure of the same. The Evidence
Custodian shall likewise affix his signature therein;

(8) Have designated arresting officers (Team Leader and sei/ing Officer) and
poseur buyer execute his respective Affidavit of Arrest;

(9) Conduct tactical interrogation of suspect for immediate follow- up—only if
possible and within the time prescribed in Article 125, RPC, as amended, to
take the person arrested to the proper authorities for inquest and proper
disposition. Otherwise, turn- over suspect as well as evidence seized to the
designated Investigator-on-case, and Office/Unit Evidence Custodian,
respectively.

(10) Prepare Spot Report for signature of the Chief Office/Unit addressed to
DNG for his information and notation

Formal Investigation shall proceed from here.
Enforcement of Search Warrant

a. Chief of Office/Unit shall undertake the following:

1) Designate a Team Leader (TL) who shall apply for the issuance of Search
Warrant. In applying for Search Warrant, the Team Leader /Applicant shall:
• Should the enforcement of search warrant yielded the seizure of items subject of the offense. immediately effect the arrest of subject of the search warrant, if present, informing him of his Constitutional rights;

• Should other contraband or illicit item/s be discovered during the conduct of search, which is/are not subject of the offense for which the search warrant was issued, photograph and secure the same in the place where it was discovered and obtain a corresponding warrant for it/their seizure:

• Upon returning to Office/Unit, Team Leader shall draft a Spot Report addressed to DNG for signature by the Chief of Office/Unit;

• Arrested persons and property(ies) seized shall be turned-over to the designated investigator-on-case and Office/Unit evidence custodian, respectively, for investigation and proper disposition.

• TL shall draft a Return of Search Warrant to be signed by the Chief of Office/Unit informing the Court among others, of the result thereof appending it with a copy of Receipt of Property Seized. The return may include the request for the retention of custody of person arrested/subject of the warrant, as well as the property seized for any lawful purpose.

Formal Investigation shall proceed from here. Airport, Seaport and Postal Interdiction

a. Airport (NAIA)

1. Upon receipt of intelligence report regarding the inbound/outbound shipment of dangerous drugs or oilier controlled substances, C, NIU or Team Leader, NAIA shall conduct the following actions:

a) Coordinate with the General Manager, Heads of the Bureau of Customs and of Bureau of Immigration and Deportation of NAIA, as well as with the AVIATION SECURITY GROUP, regarding the matter for possible interdiction;

b) Verify with the NAIA Operations Center, or Airlines concerned whether subject is on the advance flight manifest;

c) As much as possible, conduct briefing among the Government Agencies concerned, regarding the matter so that sufficient EEs about the subject can be disseminated to them;

d) K-9 Team shall be alerted and deployed at the baggage carousel only upon arrival of the reported flight for inbound shipment, and at the baggage check-in counter, for outbound shipment for the conduct of “sniffing” operations;

For Inbound Shipment of Dangerous Drugs
2. Courier(s) who shall be eventually identified at the arrival tube, shall only be photographed or covered by a video camera until he shall have collected his luggage;

3. Should the sniffing operations conducted by the K-9 Team yielded negative for presence of dangerous drugs in any of the baggages in the baggage carousel, the Team Leader shall direct the team to proceed to the Customs Area;

4. As soon as subject has collected his luggage, and proceeded to the Custom's area, the K-9 team shall conduct sniffing operations in the area specifically directing the dogs to the luggage of the subject. Should the dogs not indicate presence of dangerous in the subject's luggage, BOC Examiners shall be alerted for the conduct of rigid inspection of the same;

5. If the inspection yielded dangerous drugs in his luggage, NILJ Team Leader shall request the turn over of the suspect and the seized contraband after BOC Examiner had effected the arrest of the suspect and documented the evidence seized;

6. Receipt of person arrested and evidence seized shall be accompanied by the Affidavit of'Arrest executed by the BOC Examiner/Arresting Officer; Booking Sheet accomplished by BOC arresting officer, or any BOC personnel and Receipt of Property Seized signed by the BOC Examiner/Seizing Officer and con formed by the owner of the contraband seized as well as other witness. If possible the proceedings shall be covered by still or video camera.

7. Suspect(s) and dangerous drugs seized shall be brought to NIU Office immediately for investigation and proper disposition.

8. Team Leader shall turn over documents as well the evidence seized indicated in the Receipt of Property Seized with the officer-on-case who shall acknowledge the receipt of the same in seizing officer's copy of Receipt of Property Seized.

9. Team Leader may conduct tactical interrogation of the suspect for possible follow-up operations prior to turning him over with the investigator on case – only if possible and within the time prescribed in Article 125, RPC, as amended, to take the person arrested to the proper authorities for proper disposition.

10. Team Leader shall draft a spot report regarding the incident for signature of C, NIU addressed to DNG for his information;

Formal Investigation shall proceed from here. For Outbound Shipment of Dangerous Drugs

11. Identified courier shall be monitored from the entrance leading to the Baggage Check-in Counter so that the operator of the baggage x-ray machine could be alerted accordingly as he checks in his luggage in the machine;
12. Should the operator of the x-ray machine find suspicious items in the luggage, BOC Examiners shall be alerted for the conduct of rigid inspection of subject's luggage.

13. Should BOC Examiner find dangerous drugs in subject's luggage N1U Team Leader shall request for the turn-over of the suspect and the seized contraband after the latter had effected the arrest of the suspect and documented the evidence seized;

14. Receipt of person arrested and evidence seized shall be accompanied by the Affidavit of Arrest executed by the BOC Examiner/Arresting Officer; Booking Sheet accomplished by BOC arresting officer, or any BOC personnel and Receipt of Property Seized signed by the BOC Examiner/Seizing Officer and confirmed by the owner of the contraband seized as well as other witness. If possible the proceedings shall be covered by still or video camera;

15. Suspect and dangerous drugs confiscated shall be brought to NIU Office for investigation and proper disposition.

16. Team Leader shall turn over documents as well the evidence seized indicated in the Receipt of Properly Seized with the officer-on-case who shall acknowledge the receipt of the evidence seized on the seizing officer's copy of Receipt of Property Seized.

17. Team Leader may conduct tactical interrogation of the suspect for possible follow-up operations prior to turning him over with the investigator on case – only if possible and within the time prescribed in Article 125, RFC, as amended, to take the person arrested to the proper authorities for proper disposition.

18. Team Leader shall draft a spot report regarding the incident for signature of C, NIU addressed to DNG for his information;

Formal Investigation shall proceed from here.

b. Seaport/ Harbor

1. Upon receipt of the intelligence report regarding the inbound/outbound shipment of dangerous drugs or other controlled substances, C,NIU or Team Leader, Harbor Team, shall conduct the following actions:

a. Coordinate with the Heads of the Bureau of Customs, and Bureau of Immigration and Deportation as well as other Law Enforcement Agencies in the area, regarding the matter for possible interdiction;

b. As much as possible, conduct briefing among the said government agencies concerned so that sufficient EELs about the subject can be disseminated to them, including a photograph of subject, if available;
c. K-9 Team shall be alerted and deployed at the possible entry or exit of the dangerous drugs for the conduct of sniffing operations;

d. Should the sniffing operations yielded negative result for the presence of dangerous drugs in the suspected baggage or container as indicated in the report, request the BOC Examiner to conduct rigid inspection of the same;

e. Should BOC Examiner find dangerous drugs in subject's luggage NIU Team Leader shall request for the turn-over of the suspect and the seized contraband after the latter had effected the arrest of the suspect and documented the evidence seized;

f. Receipt of person arrested and evidence seized shall be accompanied by the Affidavit of Arrest executed by the BOC Examiner/Arresting Officer; Booking Sheet accomplished by BOC arresting officer, or any BOC personnel and Receipt of Property Seized signed by the BOC Examiner/ Seizing Officer and confirmed by the owner of the contraband seized as well as other witness. If possible the proceedings shall be covered by still or video camera;

g. Suspect and dangerous drugs confiscated shall be brought to NIU Office for investigation and proper disposition.

h. Team Leader shall turn over documents as well the evidence seized indicated in the Receipt of Property Seized with the officer-on-case who shall acknowledge the receipt of the evidence seized on the seizing officer's copy of Receipt of Property Seized.

1. Team Leader may conduct tactical interrogation of the suspect for possible follow-up operations prior to turning him over with the investigator on case;

j. Team Leader shall draft a spot report regarding the incident for signature of C, NIU addressed to DNG for his information;

Formal Investigation shall proceed from here.

2. Investigation Proper.

Upon the receipt of the arrested person, the investigator-on-case has placed the former under custodial investigation. The investigator-on-case must therefore know and understand: the rights of persons under custodial investigation; and the procedures in custodial investigations he must adhere to establish not only a prima facie case but, if possible an air-tight case that can sustain a conviction without violating the rights of the person arrested.

Custodial investigation – means the questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way. (People v. Caguiao, 95 SCRA 2) It includes the practice of issuing an "invitation" to a person who is investigated in connection with an offense he is suspected to have committed,
without prejudice to the liability of the "inviting" officer for any violation of law. Sec 2 (f) par. 2, Republic Act No. 7438)

3. Rights of a person under custodial investigation. Under Section 12, Article III of the Constitution:

4. Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent and to have competent and independent counsel preferable of his own choice. If the person cannot afford the services of a counsel, he must be provided with one. These rights cannot be waived except in writing and in the presence of counsel.

5. No torture, force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, incommunicado or other similar forms of detention are prohibited.

6. Any confession or admission obtained in violation of the provisions of this Section or the right against self incrimination as provided in Section 17 shall be inadmissible in evidence against him.

7. The law shall provide for penal and civil sanctions for violations of this section as well as compensation to and rehabilitation of victims of torture or similar practices, and their families.

Under Republic Act No. 7438, An Act Defining Certain Rights of Persons Under Custodial Investigation as well as the Duties of the Arresting, Detaining, and Investigating Officers and Providing Penalties for Violations Thereof:

2.1.5 Be assisted by counsel at all times;

8. Be informed, in a language known to and understood by him, of his rights to remain silent and to have competent and independent counsel, preferably of his own choice who shall, at all times, be allowed to confer privately with the person arrested; and that if he cannot afford the services of a counsel he shall be provided with one;

9. Be informed and adequately explained to by his counsel, in a language known to and understood by him, of the contents of the custodial investigation report written by the investigating officer; otherwise, such report shall be null and void and of no effect whatsoever;

10. Be allowed visits by or conferences with any member of his immediate family, or any medical doctor or priest or religious minister chosen by him or his family or other entities as provided by law.

The law likewise reiterates the inadmissibility of extra judicial confession in violation of the above rights and provides for the manner of executing a waiver.
11. Procedures in Custodial Investigation

Immediately upon receipt of the arrested person and documents relative to his arrest, the investigator-on-case shall:

2.2.1. Conduct documentation of suspect -

- Book the suspect in the police blotter;
- Take the fingerprint impressions of the suspect;
- Take the mug shot photograph of the suspect;
- Photograph the evidence seized or recovered from the suspect; after the same have been weighted, marked and tagged;
- Submit the evidence (dangerous drugs) to the Crime Laboratory for Qualitative and quantitative examination and proper disposition.

2.2.2. Have suspect undergo a medical examination. The suspect shall then be brought to any government hospital for medical examination to determine his mental and physical condition.

2.2.3. The investigator must re apprise the suspect of his constitutional rights. Before the investigator conducts interrogation of the suspect to elicit information that may strengthen the case under investigation, and/or pursue possible follow-up operations, lie must re apprise him ol' his rights under the Constitution.

2.2.4. Take the sworn statement of the suspect, only if he is willing, and in the presence of a counsel of his own choice. If the suspect voluntarily and willingly confessed or admitted his involvement to the commission of a crime, such confession/admission must be made with the assistance of a lawyer of his own choice. If the suspect desires to waive his right to a counsel, the same must be manifested likewise with the assistance of a lawyer of his own choice to satisfy the presumption of regularity of notification of his rights under the Constitution. His sworn statement must be taken only under such condition; otherwise the same may not be admissible in evidence.

2.2.5. Refer the case for Inquest with the Office of the Prosecutor. Immediately upon the completion of the investigation which has established a prima facie case, the investigator-on-case must refer the same together with the arresting officer(s) and other witnesses, as well as the accused for inquest before the Office of the Prosecutor, or proper judicial authorities within 18 hours for seizures of less than 200 grams of regulated drugs and less than 40 grams for prohibited drugs; and 36 hours for seizures more than 200 grams for regulated drugs and more than 40 grams for prohibited drugs.

The referral, which shall form part of the case folder, shall be appended with the following documents, to wit:

- Chemistry report or Certificate of Laboratory Examination duly signed by the forensic chemist or other duly authorized officer. If the foregoing
documents are not available, the result of the field test conducted, if any, by
the PNP operative or other competent person who attested the conduct of the
same on the evidence seized, may
suffice, provided that the final forensic chemistry report shall be submitted
within five (5) days from the date of the inquest (para. a). Section 4, Part II, Manual for Prosecutors).

- Machine copy or photograph of the buy-bust money to include the
  receipt issued for the purpose;
- Affidavits of the arresting officer(s) and poseur-buyer;
- Booking sheet of the arrested person
- Sworn statement of the arrested person, if any;
- Receipt of property seized;
- Machine copy of the request and result of medical examination conducted
  on suspect;
- Investigation report of the investigator. This report shall, among others,
narrate the facts and circumstances relative to the conduct of the
corresponding operations from the case build-up to the negation phase.

The accused must be handcuffed and provided with appropriate
escorts. The escorts must be adequately armed and shall not be authorized to
escort the accused to any other place than the detention cell to the
Prosecutor’s Office/Court and back.

2.2.6. File the case directly before the Office of the Prosecutor or proper
judicial authorities. If for some reasons, other material evidence to the case
could not be immediately obtained to establish a prima facie case, (such as
the result of forensic examination of the dangerous drugs confiscated) and
that there was no field test examination conducted on the evidence seized,
the investigator is obliged under the law to release the suspect within the
period prescribed. However, as soon as the material documents are obtained,
the investigator must file the case directly before the Office of the Prosecutor
or proper judicial authorities for disposition.

2.2.7. Draft a Progress Report. This report which shall be signed by the Chief
Of Office/Unit, shall indicate the result of inquest: the preliminary findings/
actions of the Inquest Fiscal relative to the case. It shall be addressed to the
DNG for his information and notation.

3. PROSECUTION PHASE

3.1. Monitor the various stages of proceedings of the case. Having filed
the case, the investigator-on-case must monitor the proceedings of the case
to keep himself abreast of its development and status until it is resolved and
Information has been filed with the court.

3.2. Inform Team Leader/Arresting Officer and other witnesses of the
development and schedules of hearings. (Preliminary Investigation)

3.3. Secure copy of Information. Should the Information be filed against
the accused, investigator-on-case must secure a copy of the same and inform
Chief of Office/Unit who shall likewise inform DNG thru a second progress report re the case.

3.4. Attend to Court Duties. The investigator-on-case as well as other PNP personnel involved as witnesses in the case are duty-bound to appear before the court hearing the case when summoned. Court duties shall be priority to other duties.

3.5. Study/Review case with the Arresting Officer and other PNP witnesses prior to its scheduled trial hearing;

3.6. Coordinate with the assigned Prosecutor regarding the case at least a day prior to the scheduled trial hearing;

3.7. Submit After Court Duty Report. The development/events during the proceedings must be reported in an After Court Duty Report which he will submit to his Chief of Office/Unit for the latter's information and notation.

3.8. Keep a journal of appearances, update the record of status of the case. Aside from the After Court Duty Report, the investigator-on-case shall keep a journal of his appearances, update the record of status of the case and closely monitor the entire criminal prosecution until the case is finally decided upon. This journal should be integrated in the case folder for immediate reference. (Please refer to Figures 1& 2 - flow chart diagram of buy-bust and enforcement of search warrant operations, Respectively; Table 1 - the matrix of case preparation)

**Compliance Investigation**

One approach in the conduct of chemical diversion investigation is through a method called compliance investigation. The primary objective of this type of investigation is to ascertain whether businesses or persons who had been authorized to handle controlled or regulated drugs are complying with the provisions of their authorizations or licenses.

The persons subject to compliance investigations are doctors and pharmacists who are granted authority to prescribe or dispense of controlled or regulated drugs. Businesses that are subject to compliance include those importers, exporters, manufacturers and distributors of chemicals and drugs.

Before any law enforcer can conduct compliance investigation he must be properly deputized by the Dangerous Drugs Board. However, the absence of authorization should not hinder the law enforcers to pursue investigation. The law enforcer may request DDB for the detail of authorized compliance investigator or for the DDB to conduct compliance investigation on suspected targets. The copy of the compliance investigation shall be one of the bases of prosecution.

The concern of the law enforcers is simple that no drug or chemical is diverted.

Here is a simple format in conducting compliance investigation. This can be modified depending upon the nature of the business The primary source document is the sales or purchase documents of the company. From
these documents the investigator can determine if there are discrepancies between inventories and sales.

There are two forms that may be used by the compliance Investigator. They are Sales/Purchase/Credits/Returns Form and the computational sheet.

a. The sales/Purchase/Credits/Returns Form is a record of the company transaction. See to it that there is a form for each type of controlled or regulated substances. For easy tabulation and audit, the quantity or the unit of measure must be consistent in each form. If the unit of measure is liter then all entries must be in liter. Do not use generic unit of measure such as drums, bottles, cans, sacks, etc. If they have to be used. Identify the unit of measure of drums, say 55-gallon drums or 250-mg bottles, etc. Lastly, the company personnel must prepare this form.

b. Computational sheet - this is the form to be prepared by the compliance investigator. This form will summarize all the Sales/Purchase/Credits/ Returns prepared by the company personnel.

Instruction

(A) Name and complete description of the products, including concentrations.
(B) Complete inventory of product taken by the firm some time back (at least six months). It must include the quantity available for sale, contaminated material and or expired; merchandize sold but not yet delivered, in summary, all quantities physically present at the firm when the inventory was taken. It has to be a "physical inventory".
(C) All physical purchases of the product during the audited period. Credits and/or returns, which do not entail physical handling of the product should not be taken into consideration; only returns from clients if they returned the product instead of requesting a credit.
(D) It is the quantity of product for which the firm is accountable for. This quantity is obtained by adding (B) and (C).
(E) Quantity inventoried by the investigators at the time of their arrival to the firm. It must include all quantities available for sale, the contaminated material and be expired, merchandize sold but not yet delivered, in summary, all quantities of product physically present at the firm the moment the inventory was taken.
(F) All physical subtractions of the product that took place during the audited period. You will not take into consideration credits, if these are only monetary, but no handling of product took place.
(G) Quantity of the product for which the firm has accounted for. This number is obtained by adding (E) and (F)
(H) The discrepancy or difference is the amount obtained by subtracting (0) from (D). This operation can produce a result that is zero (0), positive (+) or negative, with the following meaning:

(0) No discrepancy
(+) Overage of product
(-) Shortage of product

Obviously you have to investigate if you obtain (+) or a (-), because it is as dangerous that you have shortage as it is to have an overage. Both cases reflect deficiencies in the record keeping of the firm.

When the product is handled packed (i.e.: bottles, drums, etc.) and if the firm does not re-pack, there should be no discrepancy, however, if the firm handles the product bulk, the results of the audit should reflect discrepancies, and if they show no discrepancies (0), you must investigate as well.

(I) The percentage of discrepancy in relation to the volume that the firm handles.

This number is obtained from dividing (H) by (D), multiplied by 100 to obtain a percentage. Here is where you truly evaluate the firms' situation, because even though there should be no discrepancies, you must analyze how insignificant is the discrepancy and how much product is at stake. (J) Remarks - place all your qualitative observations or notes on the product as you have evaluated.
CHAPTER V

CLANDESTINE DIVERSION INVESTIGATION

I. CONTROLLED CHEMICALS

Pursuant to DDB Board regulation No. 3-A, S 1997 dated July 23, 1997, the following precursors and essential chemicals,

a. Substances included under Table I (Precursors):

<table>
<thead>
<tr>
<th>Substance</th>
<th>Chemical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>N-acetylanthranillic acid</td>
<td>3.4-inethylenedioxyphenyl-2-propanone</td>
</tr>
<tr>
<td>Ephedrine</td>
<td>1-phenyl-2-propanone</td>
</tr>
<tr>
<td>Ergotamine</td>
<td>Piperonal</td>
</tr>
<tr>
<td>Isosafrole</td>
<td>Pseudoephedrine</td>
</tr>
<tr>
<td>Lysergic acid</td>
<td>Safrole</td>
</tr>
</tbody>
</table>

b. Substances included in Table II (Essential chemicals):

<table>
<thead>
<tr>
<th>Substance</th>
<th>Chemical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acetic Anhydride</td>
<td>Acetone</td>
</tr>
<tr>
<td>Anthranillic Acid</td>
<td>Ethyl Ether</td>
</tr>
<tr>
<td>Hydrochloric Acid</td>
<td>Toluene</td>
</tr>
<tr>
<td>Phenyl Acetic Acid</td>
<td>Piperidine</td>
</tr>
<tr>
<td>Methyl Ethyl Ketone</td>
<td>Potassium Permanganate</td>
</tr>
<tr>
<td>Sulfuric Acid</td>
<td></td>
</tr>
</tbody>
</table>

II. CLASSIFICATION OF CLANDESTINE LABORATORIES:

a. Extraction laboratory - clan lab where an active ingredient is extracted from natural substances or raw materials by the use of chemical solvents. Hashish oil from marijuana leaves and its flowering tops utilizing a solvent to produce hash oil; or morphine and opium from plants.

b. Conversion laboratory - is a clan lab where raw materials or unrefined drug products are changed into finished or refined product. In the conversion process the chemical structure is changed. Example is the crystallization of powdered or liquid products; or the conversion of morphine to heroine.

c. Synthesis laboratory - is a clan lab where raw materials are combined in required portions and are reacted to form a new finished drug or substance. Example is the reduction of Ephedrine, Pseudoephedrine or P2P to methamphetamine or amphetamine.

d. Tableting laboratory - is a clan lab where the final product measured in production dosage unit such as tablet is passed through a machine processor. Example, tableting of MDMA, MDA or MDEA-Ecstasy.
III. STAGES OF METHAMPHETAMINE MANUFACTURE

a. Cooking stage - the initial reaction process of reducing the precursor to produce an intermediate solution, which consists of initial mixing and heating and straining to produce the intermediate solution.

b. Extraction stage - is the separation of Meth from the intermediate solution, which consists of conversion to base and extraction of Meth oil.

c. Salting and drying - is the conversion of the Meth base to crystal or salt through Hydrochloric acid or its gas or through hydrogenation.

IV. METHODS USED IN METHAMPHETAMINE MANUFACTURE

a. Hydriodic method or Red Phosphorus Method - precursors used are Ephedrine or Pseudoephedrine: essential chemicals used are Hydriodic acid. Red Phosphorus, Sodium Hydroxide, Hexane, Petroleum Ether, Chloroform, Acetone, Kerosene, starter fluid and Naphtha, table salt, Anhydrous Hydrochloric Acid, Sulfuric Acid, Magnesium Sulfate and Sodium Sulfate.

b. Ammonia or Nazi Method - precursor used are Ephedrine or Pseudoephedrine: essential chemicals used are Anhydrous Ammonia. Lithium, sodium metal, Diethyl Ether, Sodium Hydroxide, Hydrochloric Acid or its gas, table salt, Anhydrous Hydrochloric Acid, Butane tanks, liquid Ammonia fertilizer, and camera battery.

c. P2P or Amalgam Method - precursor used is 1-Phynel-2-Propanone or simply P2P; essential chemicals used are Methylamine, Alcohol, Aluminum foil. Mercuric Chloride, Sodium Hydroxide, Hydrochloric Acid or its gas, Hexane, Petroleum Ether, Ethyl Ether, Chloroform, Freon, Kerosene, and Starter fluid, and Naphta.

d. Hydrogenation or Thionyl Method or Shake-N-Bake - precursors used are Ephedrine or Pseudoephedrine: essential chemicals used are Ephedrine Chloroform Phosphorus Pentachloride or Thionyl Chloride. Ether Methanol and Palladium Black Sodium Acetate Acetic Acid Ethanol, Raney Nickel, Platinum, Platinum Chloride, and Barium sulfate.

V. CHEMICAL DIVERSION INVESTIGATION TECHNIQUES

a. Know your targets
   • Check name, address, telephone, vehicle plate and history
   • Make available use of existing databases on known traffickers, organizations, plus suspect phone numbers, vessels and vehicles.
   • Verify known local handlers and licensed for chemical activity
   • Verify trade/business registration or permits
   • Verify the construction permit and building plan of the facilities
   • Verify the owner of the land
   • Verify existing contracts of lease/rents

b. Identify chemical sources of supply and sources of information through:

1. Communications
   • Verify and link phone activity between suspects and chemical sources.
2. Containers
   • Analyze chemical labels and glassware/equipment.
   • Review labels on containers abandoned at dumpsites, lab seizures or containers detained by Customs, Police, Postal and Overnight courier services.
   • Interview local retailers of glassware, heating mantles and no-regulated products such as Freon, acetone, chloroform, hydrochloric acid for sales of product frequently encountered.
   • Develop leads through mail cover, trash search, surveillance.
   • Verify mislabeling, repackaging or misrepresentation
   • Verify diversion of over-the-counter drug products containing chemicals
   • Verify unconventional retail and mail order services

3. Documents
   • Make suspect connections with support of regulatory and law enforcement databases.
   • Verify authorizations for all precursor importation, distribution, manufacture and sales.
   • Verify various camouflaging of chemical names such as the use of lengthy, obscure, technical, or non-specific chemical names.
   • Verify improper or informal Customs declarations, such as devaluing the shipment to avoid use of documentation.
   • Verify for counterfeit documents such as DDB import permits.
   • Verify for recycling of letters of non-objection.

4. Transportation
   • Analyze shipments, couriers, brokers and routes
   • Be on the look out for "rat packing" that is packing in small quantities but multiple trips.
   • Be extra cautious for products using the Free Trade zone specially those products without Customs inspection and authorization.

   c. Other indicators that must be considered:

   1. Unauthorized possession of precursors under table 1.
   2. Excessive volumes of essential chemicals under table II found in the laboratory whose business has nothing to do with those chemicals.
   3. Presence of dead plants and withering leaves in the area due to the acid fumes that come out from the laboratory.
   4. Presence of pungent odor produced by the chemical reactions of the precursors and essential chemicals. To cover this pungent odor, clandestine laboratories are co-located in facilities that are normally emitting pungent odor to conceal the odor coming from the production of shabu. Typical facilities used are piggery, poultry farms or tannery.
   5. Presence of toxic waste. Toxic waste may come from containers that were used in the laboratory: materials used in the separation or straining of solids from liquids contaminated clothing used by laboratory workers.
6. Linkage with shabu traffickers. Usually, people in the laboratory are working for big time drug traffickers.

VI. RAIDS OF CLANDESTINE LABORATORIES

1. Stages of clan lab raids

   a. Entry - entry team will be the one to serve the warrant, secure the suspects, and secure the scene of crime.
   b. Assessment- assessment team will evaluate the clandestine laboratory environment, stabilize all chemical reaction, separate chemicals according to their nature and use and ventilate and illuminate the scene of crime.
   c. Processing - evidence collection team headed by a chemist will take samples of chemicals found in the area. While the Chemist is gathering evidence, the assessment team will take pictures of the area, collect waste materials, gather documentary evidence, lift fingerprints from glassware, wall, etc., draw a sketch of the laboratory, and collect all equipment/apparatus.
   d. Exit -When all evidence had been taken, (samples of chemicals, documents, and equipment/apparatus) the raiding team is now ready to exit.
   e. Decontamination -. Before leaving the area, see to it that the raiding team members are decontaminated.
   f. Disposal - Leave a security team to secure area including heavy drums and other containers. Coordinate with the Dangerous Drugs Board and the Department of Environment and Natural Resources on how to dispose off chemicals and toxic waste.
   g. Notification - Notify authorities, particularly the Barangay Captain that clandestine drug laboratory exists in the area in order for the people to be advised to keep out of the area because the area is contaminated.

2. Handling of clan lab during and after the raid.

   a. Suspects/prisoner handling

      1. Remove the occupants of the clandestine laboratory to a secure area, away from the laboratory.
      2. If the occupants have been or are to be arrested, remember: their stained or contaminated clothing may be evidence of manufacturing drugs.
      3. During the search, retain all documents, bags of suspected drugs or anything else that may have evidentiary value. All documents should be handled as fingerprint evidence. Beware of contamination.
      4. Note any admissions, comments, or any unsolicited remarks by the defendants.
      5. If the defendants express an interest in cooperating with law enforcer, officers who are familiar with clandestine laboratories should interview them as quickly as possible.
      6. Keep the defendants separated, if possible, prior to being jailed.
7. Note the physical abnormalities on the defendants that may have been caused by chemical burns, broken glassware, etc. Photograph them and label accordingly.
8. Check on their physical condition.

b. Evidence handling at the scene by chemical diversion investigation personnel

1. A certified Chemist and trained clandestine laboratory personnel only should handle gathering of evidence.
2. All evidence should be processed with fingerprinting in mind and handled accordingly.
3. Before any evidence is moved, it should be photographed and video taped. Videotape should contain the date/time sequence and narration including a complete description of the laboratory, location, etc.
4. Be extremely careful with any chemical. Let the experts handle it.
5. Chemical evidence should be sub-sampled with a two-ounce sample if possible placed in new-screw sample bottles.
6. Each sub-sample should be photographed next to its parent container with proper labeling to exhibit number, case number and date.
7. Once all the chemicals had been processed, the bulk chemicals and any contaminated laboratory hardware, including glassware, should be secured prior to the disposal procedures approved by the court, the Dangerous Drugs Board and the Department of Environment and Natural Resources (DENR).
8. Any documents found in the laboratory should be preserved in their totality. They may be also examined for fingerprints.

c. When a vehicle is used as clandestine laboratory, do the following:

1. Take picture of the laboratory inside the vehicle before removing the laboratory equipment/apparatus and chemicals from the vehicle.
2. Once the laboratory equipment/apparatus and chemicals had been removed, and the vehicle environment rendered safe, continue searching the vehicle.
3. Be aware of hidden or false compartments. Watch for:
   a) Wires or hidden switches to open secret compartments.
   b) Freshly worn screw head along possible concealment areas.
   c) New screws or other types of fasteners on older vehicles.
   d) Fresh paints, undercoating or other material that could be used to seal or disguise a hidden compartment.
   e) Measure/study vehicle for modification, hidden compartments, such as the thickness of the pick-up bed; the space between the inside of the cab, and the bottom of the truck.
   f) Remove seats; specially rear seats if possible. Examine seat backs, quarter panels; tire well, fenders, air conditioner housing for hidden compartments.

d. Tactical Interrogation - Conduct a tactical interrogation of suspects. Be sure to gather the following vital information:
1. Nature of the illicit laboratory - owners, location, security and connections.

2. Chemicals and equipment - suppliers of the chemicals and equipment and the list of all chemicals used.

3. Production - the product, the production method, formulation, and names of chemists

4. Marketing - distribution channel of the product (domestic or foreign), manner of payment, distributors and buyers.

3. Hazards of clandestine laboratory
   a. Operator hazards - operators and workers in the clan labs are also users of drugs: they are armed and they use electronic equipment to monitor the site for intruders such as video surveillance cameras, scanners, motion detector alarms, and parabolic microphones. In addition they post lookouts, guard dogs, and other animals at the site.
   b. Booby traps - various types of booby traps are present in clan labs, such as chemical and explosives.
   c. Chemical hazards - chemicals are corrosive such as acids, flammable such as ether, toxic like most solvents or explosive such as lithium and aluminum hydride.
   d. Physical hazards - this includes handling or lifting of containers, temperature stress, electrical hazards, fatigue, radiation, limited workspace, poor lighting, or poor ventilation.

4. Do's and Don'ts during clan lab raids
   1. Leave the laboratories to the experts. Let them handle and process them.
   2. Wear proper clothing such as disposable suits, shoes, gloves, breathing devices, and face shields, before entering a contaminated environment. Keep all personnel out of contaminated area unless properly dressed.
   3. Separate chemicals according to types and prepare them for shipment.
   4. When the environment is already under control, that is, all highly volatile, light and heat sensitive chemicals had been neutralized, take samples as needed, label them properly and photograph.
   5. See to it that the environment is properly ventilated.
   6. Wash hands with soap and clean water outside the contaminated area.
   7. Advice supervisor on any chemical spills or if chemicals spills on you.
   8. Use non-explosive flashlights while working in the contaminated environment.
9. Check for any booby traps (chemicals, mechanical or explosives) that may have been set up. If you are not qualified to defuse explosives, call trained EOD personnel.

10. Take note of all waste materials, documents, and labels to include the packaging of chemicals.

**Don'ts**

1. Don't enter a contaminated environment without proper clothing or if you are wearing contact lenses.

2. Don't smell, taste touch any of the chemicals whether in liquid or powder form or put your face directly over chemical container.

3. Don't use the toilet, wash basin, towels, and tissues for personal use that has been exposed to that environment.

4. Don't allow any personnel to handle, carry or remove anything without proper gloves.

5. Don't attempt to break down any cooker if in operation, but turn the cooker off by unplugging it from its power source.

6. Don't smoke, eat, or drink or touch your face, eyes, nose or any parts of your body while involved in handling chemicals.

7. Don't allow the media to enter the contaminated environment with electrical equipment, such as movie camera, and or electronic flash attachment unless the area is safe.

8. Don't use standard flashlights while entering a heavy-laden environment for fear of flash fire or explosion.

9. Don't put on or off any light switch light. A spark may ignite any explosive chemicals.

10. Don't stay too long inside the contaminated environment; go out from time to time to catch fresh air.
APPLICATION FOR SEARCH WARRANT

THE UNDERSIGNED, PINSP RICARDOY ABANDO, presently assigned with the Metro Manila Narcotics Office, PNP Narcotics Group, Camp Crame, Quezon City after having been duly sworn to in accordance with law do hereby depose and states the following under oath:

1. That, I have been informed and verily believes that MR REYNALDO PORMASDORO, alias CHANG WE who may be found at the premises of his residence at No 144 Bigayan St., Calamba, Laguna, have in his possession/control the following property/properties.
   - Undetermined quantity of shabu and drug paraphernalia - Which he is keeping and concealing in the premises above described.

2. That the undersigned has verified the report and found it to be a fact and therefore has reason to believe that Search Warrant should be issued to enable the undersigned to take possession and bring to this honorable court the following described property.
   - Undetermined quantity of shabu and drug paraphernalia -

Therefore, the undersigned prays this Honorable Court to issue a Search Warrant authorizing him and his agents or any peace officer to search the premises described in this application and to seized and bring to this Honorable Court the personal property above described to be dealt with as the law directs.

_________________________ Philippines__________, 1999.

NOTE:

RECOMMEND APPROVAL:

REYNOR R GONZALES
PSRSUPT (GSC)
D1R, NARGRP

RENE M MARAMO
POLSUPT
C, OPNS DIV

RICARDO Y ABANDO
PINSUPT (APPLICANT)

SUBSCRIBED AND SWORN to before me this ___ of___________ 1999 at __________________.
DEPOSITION OF WITNESS

I Police Officer 1 (PO 1) Mark Joseph Laygo PNP, of legal age, Filipino after having been duly sworn to in accordance with law, testifies as follows:

Q: State your name and other personal circumstances.
A: I Mark Joseph Laygo, 24 years old, single, native of Manila, a member of the PNP with the rank of PO 1 and presently assigned with Special Operations Division (SOD) station at PNP NARGRP, Camp Crame, Quezon.

Q: Do you know POLICE INSPECTOR RICARDO Y ABANDO, the applicant in this Search Warrant?
A: Yes, your Honor, he is the Chief Operations Section, SOD as well as our Team Leader.

Q: Are you familiar with the residence No. 144 Bigayan St., Calamba, Laguna?
A: Yes, your Honor, I know the premises of said residence.

Q: Do you have personal knowledge that in said premises, undetermined quantity of Methamphetamine Hcl (Shabu) and paraphernalias for its used kept, intended to be used as means of committing an offense?
A: At around 7:00 o'clock in the evening of April 5, 1999, I was introduced by a confidential informant as a buyer of Methamphetamine Hcl to respondent who admitted us inside said residence. I was able to produce three thousand pesos (P3,000.00) worth of regulated drugs which the respondent who then assured me of the availability of Methamphetamine Hcl whenever I wish to buy.

P01 Mark Joseph Laygo PNP
(Respondent)

SUBSCRIBED AND SWORN to before me this ___ day of ___ 1999 here at Pasay City, Metro Manila.

HON. ANTONIO J FINEZA, Exec Judge
MEMORANDUM

FOR : Director, Crime Laboratory Group
FROM : Director, Narcotics Group
SUBJECT : Laboratory Examination, Request for
DATE : 08 April 1999

1. Request conduct Laboratory Examination on the seized suspected drugs which was confiscated from the possession and control of one who was arrested by the elements of this Unit on or about ___ April 1999 at.

EXHIBIT:       QUANTITY/DESCRIPTION:
"A"       Approximately two (2) grams of Methamphetamine HC1 (shabu) in a heat-sealed transparent plastic bag.
           (Seized from the possession of @Inday)

2. Further request furnish this office copy of the examination conducted thereof, for our investigative reference.
MEMORANDUM

FOR       :  Director, Crime Laboratory Group
FROM     :  Director, Narcotics Group
SUBJECT :  Laboratory Examination, Request for
DATE     :  08 April 1999

1. Request conduct Laboratory Examination on the submitted evidence to determine the presence of Methamphetamine HC1 a regulated drug:

EXHIBIT:       QUANTITY/DESCRIPTION:

"A-I"   Approximately two (2) grams of Methamphetamine HC1 (shabu) in a heat-sealed transparent plastic bag. (Seized from the possession of @Inday)

"A-2"   More or less 2.9 grams of suspected Methamphetamine HC1 in a heat-sealed transparent bag. (Seized from motorcycle being used by Raul)

2. Facts of the case:

a. Nature of Case/Violation:
   Sec 16, Art III, of RA 6425, as amended
b. Name of Suspects:
c. Date/Time, Place of Arrest/Seizure:
   0811 OOH Apr 99 #17-F P. Tuason, Cubao, QC
d. Arresting Officer

3. Further request furnish this Division result of laboratory examination for inquest purposes.

   Chief, SOD. NARGROUP
Republic of the Philippines  
Regional Trial Court  
National Capital Judicial Region  
Caloocan City Branch  

People of the Philippines  
Plaintiff  

-versus-  

©Inday of #17 F. Tuazon St.,  
Cubao, Quezon City  

Respondent  

Search Warrant No.  

For: Violation of Sec. 16 Art III  
of RA 6425 as amended.  

RETURN OF SEARCH WARRANT  

Respectfully returned to this Honorable Court is the attached Search Warrant Nr._______ issued on April ___ th, 1999, with the information that the same was duly served on or about 5:45 in the morning of April___, 1999, and the seized were the property described hereunder and subject of said Search Warrant, and the same to form an integral part of this return:

EXHIBIT:  

QUANTITY/DESCRIPTION:  

"A-I"  
Approximately two (2) grams of Methamphetamine HC1 (shabu) in a heat-sealed transparent plastic bag. (Seized from the possession of @Inday)

"A-2"  
More or less 2.9 grams of suspected Methamphetamine HC1 in a heat-sealed transparent bag. (Seized from motorcycle being used by Raul)

Please be informed that a case of violation of Section 16, Article III of Republic Act 6425, as amended, is being readied against Respondent At-large, __________, who was nowhere to be found during the service of said search warrant witnessed by two Barangay Officials of the area and the son of the Respondent, pending result from the PNP Crime Laboratory Group at Camp Crame, Quezon City on the chemical analysis of seized evidence.

Likewise, an undocumented super caliber .38 Colt pistol bearing serial number __________ with one fully loaded magazine found from under the bed of __________ was also seized, being illegal, and a case of violation of PD 1866 will be filed against __________, pending result of verification from the Philippine National Police Firearms and Explosives Division at Camp Crame, Quezon City.

Very truly yours,
SUBSCRIBED AND SWORN to before me this__th day of April 1999, here at Caloocan City, Metro Manila.

Executive Judge
People of the Philippines
Plaintiff -versus-
@Inday of#17-F P. Tuazon St.,
Cubao, Quezon City
Respondent

Search Warrant No._
For: Violation of Sec. 16 Art III
of RA 6425 as amended.

X___________________________________X

MOTION TO TAKE CUSTODY OF SEIZED ITEM

COMES NOW the undersigned, POL SR INSP ___________. the Search Warrant Applicant, and unto this Honorable Court respectfully states the following:

That, on or about 9:00 o'clock in the morning of April___, 1999, a team led by the undersigned served Search Warrant yielded to the Seizure of approximately half (.50) gram of suspected Methamphetamine HC1, a regulated drug. (Copy of Receipt for Property Seized attached)

That, for purposes of investigation and laboratory examination, the undersigned request this Honorable Court to issue order authorizing the undersigned or his authorized representative to take custody of the seized item.

A copy of request for laboratory examination to the Philippine National Police Crime Laboratory Service at Camp Crame, Quezon City is attached to form part of the petition.

WHEREFORE, it is most respectfully prayed for that this Honorable Court merit favorable action on this motion.

Very truly yours,

Subscribed and sworn to before me this___th day April____- 1999 here at Caloocan City, Metro Manila.

Executive Judge
 REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
HEADQUARTERS PNP NARCOTICS GROUP
Special Operations Division
Camp Crame, Quezon City

MEMORANDUM

FOR : Chief, Legal and Investigation Division
(Attn: Duty Inves/Duty Warden)
FROM : Chief, Special Operations Division
SUBJECT : Turn-over of Arrested Suspect and Relative Documents
DATE : 08 April 1999

1. Turned-over for investigation and proper disposition is the person of ____________________________ y____________________ who was arrested by operatives this Division led by the undersigned on or about 081300H April 1999 at #17-F P. Tuazon St., Cubao, Quezon City after selling approx _____ grams of shabu. Buy-bust money in four hundred peso bills was retrieved from his possession.

2. Likewise, turned-over are the following pertinent documents for reference.
   a. Joint affidavit of Arrest/Poseur-buyer
   b. Booking Sheet and Arrest Report
   c. Receipt of Property Seized.
   d. Xerox Copies of buy-bust money. (Original money in the custody of this Division)

3. The result of laboratory examination and physical examination from the PNP Crime Laboratory Group will follow.

4. Request acknowledge receipt.

FOR THE DIVISION CHIEF:
(Date)

Sa mga Kinauukulan,

Ako po ay si _________________may ___________ taong gulang may
asawa/walang asawa, nagtatrabaho sa________________ at nakatira sa
___________________________ ay naimbilahan sa opisina nang SOD.
Narcotics Group, Camp Crame, Quezon City, tungkol sa mga ipinagbabawal
tulad ng shabu, marijuana at iba pang ipinagbabawal.

Ako po ay sumama, at hincli tinakot, sinaktan, hiningan nang pera at
walang nawala sa akin nang mahahalagang bagay. Wala po akong reklamo
sa mga tauhan nang SOD, PNP Narcotics Group, Camp Crame, Quezon City.

Pangalan
Sa mga Kinauukulan,

Ito ay nagpapatunay na ako si __________ na nakatira sa ________ matapos maimbistigahan at napatunayan ng mga tauhan ng SOD, Narcotics Group, Kampo Crame, Lungsod ng Quezon, hinggil sa usaping "Shabu" ay pinauuwi na.

Na ako ay hindi tinakot, sinaktan, pinilit, at walang anumang nawala gamit at wala akong anumang reklamo laban sa sinumang tauhan ng SOD, PNP Narcotics Group.

Bilang patunay sa lahat na ito ay kusang loob ko itong pinipirmahan ngayong araw na ito.

Nagsasalaysay

Mga saksi sa paglagda:
Republic of the Philippines  
Department of the Interior and Local Government  
HEADQUARTERS PNP NARCOTICS GROUP  
Special Operations Division  
Camp Crame, Quezon City

MEMORANDUM

FOR : Director, Narcotics Group  
FROM : Chief, Special Operations Division  
SUBJECT : Arrest of______________  
DATE : 08 April 1999

1. References:

2. On 071830H April 1999, elements of 801st ASS, PAFSECOM under LTCOL PEDRO SANTOS PAF, turned-over to the NARGROUP NAIA Detachment one (1) plastic bag containing approximately twenty (20) grams of dried marijuana leaves and 38 pcs of white rolling papers which were confiscated from__________, Filipino, 24 years old, single, and a holder of Passport No.________, a departing overseas contract worker St., Saudi Arabia, with permanent address at 315 ____. The dried marijuana leaves and rolling papers were properly wrapped discreetly for and intact in the false bottom of his luggage.

3. Suspect was arrested at the Final-Check-In, West Satellite, NAIA Pasay City during a routing inspection of departing passengers of PAL Flight No.______bound for Saudi Arabia via Dubai.

4. A case for violation of Section 4, Article II, RA 6425 is being readied against the suspect.

5. For your information.
REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
NATIONAL PROSECUTION OFFICE

POL
(Complainant)
- versus-

I.S. No.

FOR: Violation of Section 15
Article III, RA 6425
as amended

REQUEST FOR PRELIMINARY INVESTIGATION AND WAIVER
OF ARTICLE 125, REVISED PENAL CODE

I wish to avail of my rights to a preliminary investigation and for this
purpose, I hereby voluntarily waive my rights under the provisions of Article
125 of the Revised Penal Code. Pending the completion of the preliminary
investigation proceedings, I agree to remain under the police custody.

Special Operation Division, Camp Crame, Quezon City, Philippines,
April___, 1999.

(Respondent)

Assisted by:

(Counsel/Responsible Person)

SUBSCRIBED AND SWORN to before me this _____ day of____ 1999
at Camp Crame, Quezon City, Philippines.

(Administering Officer)
RECEIPT FOR PROPERTY SEIZED

THIS IS CERTIFY that the understand has seized and taken possessive of the property herein described below from ___________ at the vicinity of ____________________ in the presence of _________________ as witness/es.

<table>
<thead>
<tr>
<th>ITEM NR</th>
<th>QUALITY</th>
<th>DESCRIPTION</th>
<th>REMARK</th>
</tr>
</thead>
</table>

WITNESS TO SEIZURE AND INVENTORY:

Signature  
Owner Signature

Print Name & Signature

SEIZING OFFICER:

Signature

Print Name & Signature
POLICE OPERATIONAL PROCEDURES IN NARCOTICS INVESTIGATION

GENERAL

A. References:

1. LOI 36/97 BANAT: (BARANGAY AGAINST NARCOTICS ABUSERS AND TRAFFICKERS)
2. SOP No. 14 GHQ PNP on 18 October 1991, Subject: Basic Guidelines in Criminal Investigation and Desired Qualifications for Investigators;
3. Revised Rules on Criminal Procedures
4. RA 6975 (PNP Law)
5. RA 6425
6. RA 7438

B. Purpose

This SOP prescribes the basic guidelines and procedures in criminal investigation of violations of the provisions of Republic Act 6425, which every Narcotics Investigator should observe, to enhance his investigative proficiency in order to attain an effective, successful investigation and prosecution of drug cases.

C. Scope

The guidelines prescribed here shall apply to investigators of all violations of RA6425.

GLOSSARY

1. Custodial Investigation - is the investigation of a suspect or suspects arrested "in flagrante delicto" and taken into custody for the violation of RA 425 for the purpose of questioning, documenting and collating all material and relevant pieces of evidence to the crime prior to the filing of the necessary charges in court. It concerns any questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprive of his freedom of action in any significant way. (Miranda vs. Arizona)

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

3. Search Warrant - is an order in writing issued in the name of the people of the Philippines, signed by a judge and directed to a peace officer, commanding him to search for personal property described therein and bring it before the court.
PROCEDURES AND CUSTODIAL INVESTIGATION

A. During Investigation

1. Once the suspect is arrested, book him immediately and advice him of his constitutional rights. Take his sworn statement only if he is willing to give and with the assistance of his counsel of choice and any of his relatives, municipal mayor, judge, district school supervisor, or priest or minister of the gospel as chosen by him.

2. Have the suspect examined by a government physician immediately after arrest to show that he was not maltreated while under custody.

3. Observe the lawful period within which the suspects may be held pursuant to Article 125 of RTC as amended by Executive Order No. 272 S-1987, as follows:

   a. For offenses punishable by correctional penalties (arrest mayor - 1 month and 1 day to 6 months/prison correctional - 6 months and 1 day to 6 years) - eighteen (18) hours.
   b. For offenses punishable by afflictive penalties (prison mayor - 6 years and 1 day to 12 years or reclusion perpetua-life imprisonment) - thirty-six (36) hours.

4. Arresting officer/s shall execute an affidavit of arrest indicating therein the six (6) cardinal points to establish in investigate work, to wit:

   a. What - the specific offense committed, citing the provision of the law violated;
   b. How - the manner the offense was committed;
   c. Who - the person/s who committed it;
   d. Where - the place where the offense was committed;
   e. When - the date and time the offense was committed;
   f. Why - the motive in the commission of the offense especially if doubt exists as to the identity of the offender/s.

5. Take sworn statement of witnesses, if any, showing therein the facts, circumstances and other relevant information to the crime which he observed and witnessed.

6. Take fingerprints, handwritings and photographs of suspects.

7. Make an inventory of pieces of evidence seized with particular markings to the nature of the crime committed, sate, time and place of commission and signed by the arresting officer/s, inventory personnel and/or the arrested persons.

8. Have scientific or laboratory examination of the pieces of evidence by duly authorized government agency to ascertain the truth respecting the fact of the evidence.

9. Prepare a spot report to Director, Narcotics Group, Attn: Chief, Operations Division.

10. Prepare a referral letter (Annex A), for crimes committed within the NCR, or a complaint sheet (Annex B), for crimes committed outside the NCR for the filing of the complaint with the Prosecutor's Office or Metropolitan or
Municipal Trial Court/Provincial Prosecutor's Office, respectively; for inquest of the arrested persons with the attachments of evidentiary requirements listed in Annex C.

11. Bring the arrested person together with arresting officer/s, witnesses and pieces of evidence to the prosecutor's office or MTC for inquest. Let the inquest prosecutor or judge order the commitment of the arrested person/s to jail b indicating it on the referral letter or complaint sheet.

12. After inquest, prepare a letter to the Chief, SSO (for NCR units) or City/ Municipal Jail (for outside NCR) for turn-over of the arrested persons to the Jail Warden for custody pending trial of the case attaching thereto a copy of the case disposition by the inquest Prosecutor/MTC Judge, Booking Sheet and Medical Examination Certificate of the suspect.

13. Thereafter, follow through all leads to determine complicity of others, identify and locate other suspects still not arrested.

B. After Investigation and Inquest

1. Submit the case folder with complete attachment of documents to Legal Office, Narcotics Group for reference and monitoring purposes.

2. Follow up final result of laboratory examination of evidence submitted to concerned government agencies for subsequent submission to the duly designated prosecutor r/MTC Judge of the case.

3. Coordinate closely with the prosecutor of the case for the speedy, effective and successful prosecution of the case in court.

4. Advise all apprehending officers and other prosecution witnesses to appear in court religiously whenever a hearing that requires their appearance thereto is set. For cases filed in the NCR, witnesses shall regularly confer with the legal officer before appearing in court or Prosecutor's office.

5. Turn over all pieces of evidence to the Evidence Custodian who shall ensure the prevention of the evidence in his care while the case is under trial, as well as his presence together with the evidence in the court when subpoenaed by the trial court.

6. Continually report of the progress of the trial in court shall be rendered to Legal Office, ANTI-NARCOTICS GROUP until the conclusion thereof by submitting after Court Duty Report/s to the Legal Office.

PROCEDURES IN THE CONDUCT OF SEARCH

1. Every search shall be conducted with the use of a Search Warrant validity issued by a competent court.

2. The search should be organized in such manner that each member of the searching party has a designation and clearly defined responsibility. The searching/ raiding party shall be organized as follows;

   a. Team Leader - Commander of the raiding party and shall supervise the conduct of the search/raid.

   b. Covering Party - provides security of the entering party and covers the entire area of building being searched.

   c. Entering Party - enters the place to be searched and effects arrest of suspects and searches for evidence.
d. Recorder - records the conduct of the raid, gathers and inventories evidence.

3. Only designated members of the searching party shall enter the house or building to be searched while the designated perimeter security shall stay outside.

4. Before entry, the Search Warrant shall immediately be served by presenting a copy to the respondent or any responsible occupant of the place to be searched.

5. The search shall be conducted in the presence of at least two (2) witnesses, preferably Brgy. Officials, and the occupants of the house/place to be searched.

6. No civilian agents shall not be allowed to be a member of the entering/searching party.

7. The search should be supervised by a Responsible Officer at all times.

8. Prior to the start of the search, coordination shall first be made with the nearest local police office to inform them of the search to be conducted.

9. The search should be done in an orderly manner and the rights of the person being searched should be respected at all times.

10. Forcible entry shall only be resorted to if all means for peaceful entry have been exhausted.

11. All recovered pieces of evidence should be properly inventoried and covered by receipts and signed by the witnesses before leaving the area where the search was conducted.

12. Only the area and items specified in the search warrant should be searched and seized, unless there are other items found wherein possession thereof is a clear violation of law.

13. Warrant less arrest should be resorted to if the following condition exists:

   a. A person lawfully arrested may be resorted to if bodily searched and those within his immediate premises under his control for dangerous weapons or anything which may be used as proof of the commission of an offense.
   
   b. When the person to be searched gives his consent.
   
   c. When the pieces of evidence to be seized are in plain view of an officer and such objects are per se subject to seizure.
   
   d. When the subject of the search is a vessel, an aircraft or a motor vehicle suspected to be carrying contraband.
   
   e. When search is made in enforcing the tariff and customs code of the Philippines (Sec 2703).
   
   f. When the search is being conducted in a check point validity put up.

14. After the conduct of search, with or without search warrant, all seized prohibited or regulated drugs shall be referred for laboratory examination to a duly authorized government agency to ascertain the truth respecting the fact of the evidence.

15. Prepare a referral letter (Annex A) or complaint (Annex B) with the attachments of evidentiary requirements listed in Annex C.
16. Bring the arrested persons together with the arresting officer/s and evidence to the Prosecutor's office or MTC for inquest. Ask the Prosecutor of Judge Order the commitment of the arrested persons to jail by indicating it on the referral letter or complaint.

17. After the inquest, turn-over the arrested persons to the Chief, SSO (for NCR units) or city/municipality jail (for units outside NCR) for turn-over of the arrested persons to the Jail Warden for custody pending trial of the case attaching thereto a copy of the case disposition by the Prosecutor or MTC Judge, booking sheet and medical certificate.

18. After investigation and inquest; follow the procedures in paragraph 111 B of this SOP.

DISPOSITION OF EVIDENCE

As a general rule, pieces of evidence which are the subjects, fruits or means used in the commission of a crime shall be disposed of in accordance with law or court order. Hereunder are some guidelines in the disposition thereof.

1. Vessels, vehicles and other means used in drug smuggling shall be turned-over to the Bureau of Customs for seizure proceedings after photographs have been taken thereof.

2. Firearms and ammunitions confiscated incidental to a lawful arrest for violation of RA 6425 shall be turned-over to the Evidence Custodian for safekeeping during the trial of the case in court. If a firearm was used in the perpetration of a crime, it shall be submitted to the Crime Laboratory for ballistics examination.

3. Explosives confiscated incidental to lawful arrest for violation of RA 6425 shall be submitted to the PNPCLS for laboratory examination.

4. Conveyances, tools, instruments, implements and equipment used in violation of RA 6425 shall be kept by the evidence custodian for evidentiary purposes in court.

5. Stolen motor vehicles recovered incidental to a lawful arrest for violation of RA 6425 shall be reported to the PNPTMG for recording purposes and then turned-over to the Evidence Custodian for constructive control and custody, pending trial of the case in court. Release of such motor vehicles to the rightful owner shall only be affected on the basis of an order issued by the investigating Prosecutor or Court and after approval of the Director, NARGRP.

6. Drugs and sniffing paraphernalia recovered shall be referred to the PNPCLS or NB1 for laboratory examination.

7. Other tools, instruments or weapons used in violation of RA 6425 shall be kept by the evidence custodian pending trial of the criminal case in court.

8. Evidence arising from violation of RA 6425 and/or commission of other crimes shall be kept for evidentiary purpose or disposed depending upon its character and in accordance with a court order or existing laws governing the commission of the crime.

9. Pieces of evidence kept or submitted in court may be recommended to the court trying the case for confiscation and forfeiture in favor of the government and requested for use of the apprehending unit if they have
valuable use for them by way of a motion, if legally tenable, and if trial of the criminal case results in the conviction of the accused.

10. Other pieces of evidence not specifically covered in this SOP shall be disposed of in accordance with the law, rules, and regulations governing them or as the court may direct.

THIS SOP TAKES EFFECT UPON PUBLICATIONS.
The Honorable Secretary/City Prosecutor  
(Attn: State/Inquest Prosecutor on Duty)  

Sir:  

Respectfully referred for inquest/appropriate action is a case of violation of Sec. 8, Art. II in relation to Sec. 8 (I), Art. I of RA 6425 committed on or about January 24, 1994 at 10:00 o'clock in the morning at New York St., Cubao, Quezon City.  

SUSPECTS:  

1. (state name, personal circumstances and address of suspects)  
2. _________________________________  

WITNESSES: (State name of witnesses and their addresses)  

1.  
2.  

EVIDENCE:  

1.  
2.  

FACTS OF THE CASE:  

Brief summary of facts and circumstances of the case stating the answers to the 5Ws and 1 H.  

This case will be presented to your office by (Investigator-on-case).  

Very truly yours,
Republic of the Philippines
MUNICIPAL TRIAL COURT
Third Judicial Region
Branch______, Orion, Bataan

PEOPLE OF THE PHILIPPINES
Plaintiff, - versus -
JUAN DELA CRUZ
10 Mariano St., Orion, Bataan
Accused.

CRIM. CASE No._______
For: Violation of Sec. 8, Art. II
in relation to Sec. 2 (I)
Art. 1 ofRA 6425.

COMPLAINT

The undersigned accuses JUAN DELA CRUZ of a violation of Sec. 8, Art. II, in relation to Sec. 2 (I), Art. 1 of RA 6425, committed as follows:

That on or about January 24, 1994, in the Municipality of Orion, Province of Bataan and within the jurisdiction of the Honorable Court, the said accused, without being authorized by law to possess or use, did then there willfully, unlawfully and knowingly have in his possession and under his control fifty (50) grams of marijuana, which is a prohibited drug.

Contrary to law.


(Name of Team Leader)

SUBSCRIBED AND SWORN to before me this__day of January 1994 in Orion, Bataan.

(Administering Officer)
ANTI-DRUG OPERATIONAL PROCEDURES

I. REFERENCES:

a. HPNP Ltr Dir dtd 14 Jan 93 on Rules of Engagement;
b. RA 6425, as amended by PD 1619 and RA 7659
c. RA7438
d. Revised Rules of Court
e. HNG Ltr Dir dtd 13 Jul 93 on Anti Drug Abuse Rules of Engagement
f. SOP on Basic Guidelines in Narcotics Investigation dtd 17 January 1994

II. PURPOSE

This SOP prescribes the New Rules of Engagement in the conduct of anti-drug operations for the strict observance of Narcotics Group and other PNP Units in the enforcement of RA 6425, as amended, and other drug related laws.

III. RATIONALE

The current realities of the national drug problem has assumed epidemic proportion despite decisive efforts by this Group to fight it. The low conviction rate on cases filed before the various courts in the country is attributable to flaws in the conduct of operations and performance in court of police witnesses. The need for changes to redirect our efforts by focusing on details rather than generalities in the conduct of anti-drug abuse operations is therefore a pressing mandate.

There are PNP personnel involved in anti-drug abuse operations who possess only few of the basics and without any specialized training on dangerous drugs, RA 6425 and criminal procedures. This lack of a working knowledge sometimes results in procedural errors and operational oversights which cause undue embarrassments, unnecessary legal counteraction and even unexpected resolution of cases filed. Quite imperatively, the operationalization of efficient uniform procedures pertaining to each and every aspect of the operation must be institutionalized.

IV. GENERAL RULE

A. This policy covers the procedures in the following stages of operations:

1. Planning and Preparation
2. Conduct of Operation
3. Post Operation
4. Tactical Interrogation/Follow-Up Operation
5. Custodial Investigation
6. Prosecution of the Case
7. Trial of the Case
8. Resolution of the Case
B. Anti-drug abuse operations shall be primarily conducted by means of buy-bust, search with warrant, mobile check point operation and airport/seaport interdiction. The conduct of search without warrant may be availed of in case of hot pursuit or urgent follow-up operation where the conduct of buy-bust or the application of search warrant will compromise or defeat the operation in accordance with the following circumstances:

1. When the search is incidental to a lawful arrest. This is limited to the search of the person lawfully arrested and in the area within which the arrested person can reach for a weapon or for evidence to destroy it;
2. When the search is with the consent of the person to be searched;
3. When the pieces of evidence to be seized are in plain view of the seizing officer who has the right to be in the place to have that view; and
4. When it is a search of motor vehicle (during checkpoint operations) where it is not practicable to secure a warrant but search shall be limited to evidence in plain view;
5. When the purpose of the search is to enforce customs and tariff laws (airport and seaport interdiction).

C. The suitability of all personnel for deployment must pass the test for capability and proper placement in assigned tasks. Informal instructions and/or specialized training must be a continuing program until every personnel becomes effective on the job.

D. The applicable provisions of GHQ, PNP Letter Directive change on Rules of Engagement shall be complied with in the conduct of all anti-drug operations.

V. SPECIFIC RULES

A. Planning and Preparation:

1. Intelligence Production and Dissemination

   a. Intelligence produced by ID and/or by the unit through its personnel and other sources must be documented by reliable reports, such as, Summaries of Information including maps and sketches. Intelligence operations must be covered by Pre-operations Orders and subsequently documented by appropriate report, such as. After Surveillance and After Casing Reports with corresponding annexes, such as maps, sketches, photographs and tapes, background investigation/records checks reports and other relevant after-operation reports. The intelligence operative/agent concerned must keep and preserve notes to record any valuable information he gathers. These documents are necessary to strengthen the credibility of the arresting officers in court and during the trial as these are proof that sufficient information regarding the suspect and his activities were gathered and documented prior to his arrest.

   b. Other information received through walk-in informers/witnesses/telephone callers and public complaints must be properly recorded in the units logbook, verified or referred to intelligence for decisive analysis and proper and timely disposition/dissemination.
c. Dissemination of intelligence data must be timely and on need-to-know basis.

2. After identifying the suspect/s, determining their movements and activities, and establishing their locations, the following must be prepared/undertaken:

**a. Buy-Bust Operations**

1. Pre-operation Order indicating the name of the suspect/s, address and area of operations, description and quantity of drugs subject of the offense and the team leader and members of operating team/s, signed by the Chief of Unit/Office or his duly authorized subordinate officer.

2. The poseur-buyer and the buy-bust money and request for dusting (ultra-violet powder) if necessary. The buy-bust money shall be covered by a receipt indicating therein the denominations and respective serial numbers of the genuine bills received. (If dusting is necessary, the poseur-buyer must be the one to deliver the buy-bust money to the PNP CLG for dusting together with appropriate request);

3. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence;

4. Vehicles, communications-electronics equipment, camera, weighing scale, indelible marking pens, firearms and other appropriate equipment/gadgets.

**b. Search with Warrant**

1. Test buy on suspect;

2. Request for laboratory exam of stuff obtained in the test test-buy;

3. Result of Laboratory Examination;

4. Application form duly accomplished by the team leader and recommended by the Chief, Unit/Office or by DNG for Narcotics Group units within NCR;

5. Deposition of two (2) witnesses;

6. Duly issued Search Warrant by the Court;

7. Receipts for property seized;

8. Certificate of Orderly Search;

9. Drug Weighing Report;

10. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence;

11. Vehicles, commel equipment, camera, weighing scale, marking pens, F/As and other appropriate equipment/gadgets.

**c. Mobile Check Point Operations**

1. Intelligence files/documents against the suspects and target vehicles;

2. Check-point signs, vehicles commel equipment, camera, weighing scale, indelible marking pens, F/As and other appropriate equipment gadgets;

3. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence.
4. Covert spotters
5. Receipt of property seized
6. Certificate of Orderly Search
7. Drug Weighing Report

d. Airport and Seaport Interdiction

1. Vehicles, commel equipment, camera, weighing scale, marking pens, F/As and other appropriate equipment/gadgets; and
2. Handcuffs, ropes, and other gadgets to secure the suspect/s and bags/containers to secure preserve the evidence.
3. Receipt for property seized
4. Certificate of Orderly Search, if search is conducted on vessels/planes;
5. Drug Weighing Report

3. In all cases, a tactical briefing shall be conducted by the team leader (Officer) with all the members of the team present with the critical observation of the Chief, Unit/Office or his duly authorized subordinate Officer, which must clearly present the following:
   a. Details on the identity of the suspect/s, the area of operations and the items to be seized;
   b. Designation of tasks of each member and their respective groupings as applicable, which shall include the support services (drivers, signal personnel and spotters), intelligence/arresting, entering/raiding, security/back-up, search investigation, evidence custodian, photographer, recorder and perimeter security group;
   c. Firepower, mobility and communications capability; and
   d. Movement plan, convoy arrangement and area deployment.

4. Before jump-off, rehearsal as practicable maybe conducted. Also, formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted.

B. Conduct of Operation: (As far as practicable, all operations must be officer led)

1. Buy-Bust Operation - in the conduct of buy-bust operation, the following are the procedures to be observed:
   a. Record time of jump-off in unit's logbook;
   b. Alertness and security shall at all times be observed:
   c. Actual and timely coordination with the nearest PNP territorial units must be made;
   d. Area security and dragnet or pursuit operation must be provided:
   e. Use of necessary and reasonable force only in case of suspect's resistance:
   f. If buy-bust money is dusted with ultra violet powder make sure that suspect gel hold of the same and his palm/s contaminated with the powder before giving the pre-arranged signal and arresting the suspects;
g. In pre-positioning of the team members, the designated arresting elements must clearly and actually observe the negotiation/transaction between suspect and the poseur-buyer;

h. Arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which maybe concealed in his body, vehicle or in a place within arms reach;

i. After lawful arrest, search the body and vehicle, if any, of the suspect for other concealed evidence or deadly weapon;

j. Appraise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs;

k. Take actual inventory of the seized evidence by means of weighing and/or physical counting, as the case may be;

l. Prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof;

m. The seizing officer (normally the poseur-buyer) and the evidence custodian must mark the evidence with their initials and also indicate the date, time and place the evidence was confiscated/seized;

n. Take photographs of the evidence while in the process of taking the inventory, especially during weighing, and if possible under existing conditions, the registered weight of the evidence on the scale must be focused by the camera; and

o. Only the evidence custodian shall secure and preserve the evidence in an evidence bag or in appropriate container and thereafter deliver the same to the PNP CLG for laboratory examination.

2. Service of Search Warrant - the following are the procedures in effecting the service of search warrant:

a. Record time of jump-off in units logbook:

b. Alertness and security shall at all times be observed;

c. Actual and timely coordination with the nearest PNP territorial units must be made;

d. Area security and dragnet or pursuit operation must be provided;

e. No civilian agent must be allowed to be a member of the searching party;

f. Instant area observation must be made by the team leader before living notice of his purpose and authority to the owner/ lawful occupant of the residence /building /facility premises to be searched in the presence of at least two (2) witnesses preferably Barangay Officials or responsible persons in the area. If refused admittance, a door or window may be broken to effect entry and search. In no case shall search be made without the presence of two (2) witnesses;

g. The perimeter security group must be pre-positioned to cover all exit/entry points before the entering raiding group with the back-up security enter the premises. In case of resistance, the entering raiding group shall decisively subdue the suspect/s with the use of necessary and reasonable force only;

h. Before entry, the Search Warrant shall be served by having a copy received by the respondent or any responsible occupant of the place to be searched;
1) In all cases, the search must be witnessed by the owner/occupant and in the presence of at least two (2) responsible persons in the vicinity, preferably two (2) barangay/town officials;

2) Only those personal property particularly described in the search warrant shall be seized to wit:

   a. subject matter of the offense;
   b. stolen or embezzled and other proceeds of fruits of the offense;
   c. used or intended to be used in the commission of an offense;
   d. objects which are illegal per se, e.g. F/As and explosives; and
   e. those that may be used as proof of the commission of the offense.

i. If the house or building to be searched has two or more rooms or enclosures, each rooms or enclosures must be searched one at a time in the presence of the occupants and two (2) witnesses;

j. The search group and evidence custodian, supervised by the team leader, shall take actual physical inventory of the evidence seized by weighing or counting, as the case may be, in the presence of the witnesses to include the suspect who must be placed under arrest upon discovery of any of the items described in the search warrant.

k. The duly designated searching element who found and seized the evidence must mark the same with his initials and also indicate the time, date and place where said evidence was found and seized and thereafter turn it over to the duly designated evidence custodian who shall also mark the evidence and indicate the time, date and place he received such evidence;

l. Take photographs of the evidence upon discovery without moving or altering its position in the place where it is placed, kept or hidden;

m. Weigh the evidence seized in the presence of the occupants and witnesses and prepare the drug weighing report to be signed by the arresting officers, evidence custodian, occupants and witnesses. Again, take photographs of the evidence while in the process of inventory and weighing with the registered weight in the weighing scale focused by the camera;

n. Prepare a receipt and drug weighing report based on the actual physical inventory and weighing of the evidence found and seized and furnished the owner/possessor copies thereof or in his absence the occupant the premises and to the two (2) other witnesses in the conduct of search;

o. Require the owner or occupant of the premises and the two (2) witnesses 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 nothing was taken except those mentioned in the search warrant;

p. Only the duly designated evidence custodian shall secure and preserve the evidence in an evidence bag or appropriate container and thereafter ensure its immediate presentation before the court that issued the search warrant;

q. The applicant shall cause the return of the search warrant (inc) together with the receipt of the seized evidence immediately after service of
the warrant withplayer to the court that the evidence would be forwarded to PNP CLG for laboratory examination;

r. Upon completion of search, seizure and arrest and unless the tactical interrogation of the suspect on the scene shall lead to a follow-up operation, the team leader shall consolidate his forces to see to it that no ransacking or looting or destruction of property is committed;

s. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

3. Conduct of Checkpoint Operations

a. Motor Vehicle Interdiction - the following are procedures to be observed:

1. Record time of jump-off in unit logbook;
2. Alertness and security shall at all times be observed;
3. Actual and timely coordination with the PNP territorial unit must be made;
4. Organization of forces shall be composed of: perimeter security group, intelligence/spotter group, interdiction group, back-up/ security group, motorized pursuit group, inspection/evidence custodian group and the evacuation group;
5. All vehicle inspection and person frisking should be conducted with utmost courtesy and without inconveniencing the public and unduly disturbing the orderly traffic flow;
6. Only illegal items that are in plain view shall be subject of confiscation. No search of vehicle and occupants thereof shall be conducted unless evidence in plain view is found therein;
7. All seized items shall be properly covered with receipt bearing the signature of the possessor, seizing element and evidence custodian;
8. The seizing element and the evidence custodian shall mark (the items seized with their initials, time, date and place of seizure;
9. Based on additional and contingent intelligence, the operation may be transferred to another area in pursuance of its objectives; and,
10. The team leader shall consolidate his forces and return to unit headquarters upon completion of the mission which should not exceed 24 hours.

b. Airport and Seaport Interdiction - the following are procedures to be observed when Bureau of Customs or other government agencies at the airport/seaport turn over to Anti-Narcotics Group drugs cases arising from discovery upon inspections;

1. Place the person under arrest and appraise him of his constitutional rights;
2. Take actual physical inventory of the evidence by weighing or physical counting in the presence of the authorized person who discovered the same, the suspect and other responsible persons;
3. Take photographs of the evidence while taking inventory especially when weighing and making sure that the registered weight in the scale is focused by the camera;
4. The duly designated evidence custodian shall mark the evidence with his initials and indicate the time, date and place he received said evidence and thereafter secure the same in a suitable evidence bag or container;
5. The duly designated evidence custodian shall issue a receipt based on the actual physical inventory of the evidence confiscated for issuance to the person who turned over the same;
6. The investigator shall take the sworn statement of the authorized person who discovered and seized the evidence and all possible witnesses to the discovery and seizure of said evidence;
7. Conduct tactical interrogation on suspect for possible follow-up operation and intelligence consumption only and not for evidentiary purposes unless the interrogation is taken in the presence of his counsel.

C. Tactical Interrogation Follow-Up Operation

1) Conduct tactical interrogation on suspects at the scene, during transit to and at the unit headquarters for purposes of possible follow-up operations and intelligence consumption and not for evidentiary purposes;
2) Conduct follow-up operation as far as practicable by applying the same aforesaid procedures of buy-bust, service of search warrant, vehicle interdiction and airport/seaport interdiction.

D. Post Operation

1. Upon arrival at unit headquarters, tactical interrogation shall continue, both for follow-up operation and intelligence consumption only.
2. A spot report shall be prepared and submitted immediately upon arrival at unit headquarters to be followed by an After Operation Report to be submitted to D,ANG (Attn: CDS) copy furnished D,NG, DD,NG, CDS, CL1D NLT 24 hours upon arrival at the unit headquarters;
3. Arrested suspect must be segregated for the conduct of custodial investigation and only investigators, relatives, and lawyers of the suspects will be allowed to access to them. A medical examination of the arrested persons must be undertaken within 24 hours after arrival at unit headquarters in coordination with PNP General Hospital or any government hospital;
4. Seized and confiscated evidence must be brought immediately to the PNP CLG or NBI for laboratory examination by the team leader and the duly designated evidence custodian;
5. Suspects arrested in a buy-bust operation whose hands were contaminated with the use of dusted marked money shall not be allowed to wash their hands nor fingerprinted upon arrival at unit headquarters but shall immediately brought to the PNP CLG or NBI together with confiscated evidence and marked money for laboratory examination and drug test;
6. After the laboratory examination, the arrested persons shall be booked and fingerprinted.

E. Custodial Investigation

The provisions of RA 7438 must be observed at all times in the conduct of custodial investigation where the counsel must present and must
completed within the reglamentary period prescribed in Art. 125 of the Revised Penal Code, as amended, and in accordance with the pertinent provisions of RA 7659 which further amended RA 6426. The following table shall be strictly observed in the conduct of custodial investigation and filing of cases:

**TABLE**

<table>
<thead>
<tr>
<th>TYPE OF DRUG</th>
<th>PENALTY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6 Mos+ 1 Day-6 Yrs</td>
</tr>
<tr>
<td>1. Opium, Morphine, Heroin Cocaine Or Cocaine Hydrochloride</td>
<td>13.3GmsOrLess</td>
</tr>
<tr>
<td>2. Shabu</td>
<td>66.7 Gms Or Less</td>
</tr>
<tr>
<td>4. Marijuana Resin Or Marijuana Resin Oil</td>
<td>16.7 Gms OrLess</td>
</tr>
<tr>
<td>Lawful Detention Period Under Art 125 RPC</td>
<td>18Hrs</td>
</tr>
<tr>
<td>Court Of Competent Jurisdiction</td>
<td>MTC/MCTC</td>
</tr>
</tbody>
</table>

**F. Prosecution of the Case**

1. Within the reglamentary period as shown above, the case must be filed before the Prosecutor's Office or the Municipal Trial Court in the provinces/towns for inquest proceedings. This shall be attended by the team leader, arresting elements, evidence custodian, poseur-buyer, others who executed affidavits and arrested persons. The following are the requisite documents in filing the case:

a. Buy-bust Operation

1. Letter referral addressed to the City/Provincial Prosecutor or complaint filed with MTC/MCTC;
2. Joint Affidavit of Arrest;
3. Affidavit of Poseur-Buyer;
4. Affidavit of Evidence Custodian. It shall allege that he is the duly designated evidence custodian of the team; that he received the evidence from the seizing element/poseur-buyer specifying the description of the drug and its quantity; the time, date and place where he received the same; that he issued a receipt therefore upon turn-over to him; that while in his custody
there was no destruction, loss, substitution or alteration of the evidence: and that he personally delivered (he same to the PNP CLG or NBI for laboratory examination with appropriate letter request;

5. Letter request for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;

6. Letter request for ultra-violet powder dusting of marked money;

7. Receipt of the evidence/confiscated;

8. Buy-bust money;

9. Drug weighing report;

10. Booking Sheet and Arrest Report

11. Photographs, sketches, maps, etc.

12. Letter-request for drug test and corresponding result, if any;

13. Other documents of evidentiary value.

b. Service of Search Warrant

1. Letter referral to the City/Provincial Prosecutor or complaint to be filed with MTC/MCTC in the province/town;

2. Joint Affidavit of arrest;

3. Copy of return of Search Warrant;

4. Copy of Search Warrant:

5. Affidavit of Evidence Custodian;

6. Letter-request for laboratory examination and corresponding result thereof;

7. Receipt for property seized;

8. Certificate of Orderly Search;

9. Drug Weighing Report;

10. Letter request for drug test and corresponding result thereof, if any;

11. Photographed, sketches, maps, etc.

12. Booking Sheet and Arrest Report;

13. Others of evidentiary value.

c. Interdictions

1. Motor Vehicle Interdiction
a. Letter - referral to the City/Provincial Prosecutor or complaint to be filed with the MT./MATCH in the province/town;

b. Joint Affidavit of Arrest;

c. Affidavit of Evidence Custodian;

d. Intelligence of evidentiary value;

e. Letter - request for laboratory examination and corresponding result thereof;

f. Receipt for Property seized;

g. Drug weighing report;

h. Letter - request for drug test with corresponding result, if any;

i. Booking Sheet and Arrest Report;

j. Photographs, sketches, maps, etc.

k. Others of evidentiary value.
2. Airport/Seaport Interdiction
   a. Letter - referral to City/Provincial Prosecutor or complaint to be filed with MTC/MCTC in the province/town;
   b. Joint Affidavit of arrest;
   c. Affidavit of Evidence Custodian
   d. Affidavit of airport/seaport personnel who seized the evidence;
   e. Receipt of property seized;
   f. Drug weighing report;
   g. Letter - request for laboratory examination and corresponding result;
   h. Letter - request for drug test with corresponding result, if any;
   i. Photographs;
   j. Intelligence documents of evidentiary value;
   k. Booking Sheet and Arrest Report;
   l. Other of evidentiary value.

2. If preliminary investigation is requested by the arrested person, all personnel duly notified to appear in the proceedings before the Prosecutor's Office must be religiously attend with prior preparation by diligently reviewing the case records. All notices/subpoenas/processes shall be recorded the OCLIS for units within Metro Manila and by the Chief, Unit Investigation Section in the field. All procedural requirements in the proceedings must be promptly complied with.

3. In the provinces/towns where there are no inquest prosecutors available, filing of the case maybe made before the MTC/MCTC where the presiding judge thereof may conduct the inquest proceedings or investigation and issues warrant of arrest and commitment order.

4. After inquest, turn over the living person of arrested person to the city/ municipal jail with the corresponding commitment order of the inquest prosecutor/judge.

5. All evidences seized during the operation shall be turned over/referred to the appropriate government agency for the custody/examination. In no case shall evidence be retained and kept by the arresting unit.

6. Motor vehicle shall be released to the lawful owner/claimant upon presentation of proof of ownership and after approval by the prosecutor or court. Release shall be properly documented with Technical Inspection Report and receipt by the claimant. Should there be no claimant of the motor vehicle, it shall be turned over to the PNP TMG with proper documentation.

G. Trial of the Case

1. All personnel duly notified to appear before the court to testify in the trial of the case shall religiously attend to and shall submit their court duty schedules and after court duty report to OCLIS for recording and monitoring purposes;
2. All duly issued court processes must be properly complied with and returned by concerned personnel;
3. All units shall maintain and display in conspicuous places the respective court duty schedule of their personnel. Units Chief’s shall be primarily responsible for the appearance of their respective personnel in court;
4. A monthly report of cases status shall be submitted by all units to OCLIS NLT 1st day of the following month for record and monitoring purposes;
5. A record of case - tracking of cases shall be maintained by OCLIS and by respective Investigation Section of the units which shall be the basis of OCLIS for the submission of consolidated Monthly Report to D,NG, OCIS and OCOD NLT 5th day of the following month:
6. All units shall submit records of cases to include court processes pertinent thereto to OCLIS for record and evaluation purposes.

H. Resolution of the Case

1. CLIS and respective Chief of units shall be primarily responsible for the monitoring/submission of report regarding resolution of cases. Copies of Prosecutor’s or court’s resolution/decision of cases shall be submitted to OCLIS for record and evaluation purposes;
2. Personnel responsible for the conviction of big drug offenders considered in the Watch List after a full blown trial shall be accorded the appropriate award;
3. Personnel who are found to have caused the dismissal of cases or acquittal of accused due to their obvious deliberate failure to testify in court, neglect in their court duty or some other acts or misconduct resulting in the loss of the case shall be accordingly answerable for it together with the unit Chief;
4. Any apparent or noticeable irregularity during the conduct of the investigation by the prosecutor or hearing of the court shall at once be acted upon by the unit’s Chief, either by calling the attention of the Prosecutor or Judge or reporting it in writing with corresponding documents to D,ANG;
5. Chief, PIO shall cause the dissemination through the tri-media of any resolved cases which is worthy of public information and of upgrading PNP credibility.

VI. COORDINATING INSTRUCTIONS

A. The following HQs, ANG issuances shall be applicable in the Implementation of this SOP:

1. Letter Directive on 14 June 1993, Creation and Operation of PNP NARGROUP Personnel Suitability Committee, which will determine the fitness of every personnel to perform his assigned tasks in the operation.
2. Letter Directive on Custody of Detainees, which provides, among others, that all detained persons must be covered by a Commitment Order or Warrant of Arrest after the reglamentary period of 18 and 36 hours for custodial investigation, otherwise they have to be released in the absence of any ground to detain them further.
3. Letter Directive on 14 June 1993, Custody of confiscated/Seized items, which provides, among others, that those constituting as evidence shall be properly marked and preserved while those not shall be returned the lawful owner/possessor NLT 24 hours from the completion of Investigation Report, covered by proper receipt.

4. Letter Directive on 21 June 1993, Utilization of Civilian Agents, which is limited to intelligence production and support services only.


6. Letter Directive on 22 June 1993, Handling of Operations Oversights, which will lead to the conduct of a fact finding inquiry on all complaints/ allegations of irregularities in the conduct of operation.

7. Letter Directive on 23 June 1993, Court Appearances NARCOM Personnel, which is an official duty.

B. The conduct of any anti-drug abuse operation should not unduly inconvenience the public nor cruelly treat the suspects.

C. Humane treatment of arrested suspects must be observed at all times.

D. Conduct of debriefing/critique shall pinpoint areas for improvement and shall record lessons for retraining/relearning.

This SOP is Effective 01 September 1997.

NEW NARCOTICS RULES OF ENGAGEMENT

I. REFERENCES:

b. Republic Act No. 6425, as amended by PD 1619 and RA 7659
c. Republic Act No. 7438
d. Revised Rules of Court
f. Headquarters NARCOM SOP No. 1 on Basic guidelines in Narcotics Investigation dated 17 January 1994

II. PURPOSE:

This SOP prescribes the New Rules of Engagement in the conduct of anti-narcotics operation for the strict implementation by NARGROUP and other PNP Units in the enforcement of RA 6425, as amended, and other drug related laws.

III. SITUATION:

Cutter developments of drug problem in the country necessitates the reassessment of existing policies and techniques to keep abreast of the prevailing methods employed by drugs syndicates in pursuing their illicit trade.
The wonders of technology have become more accessible to drug traffickers using their wealth derived from drug proceeds against the limited resources of law enforcers who must contend with whatever means are available to them.

Compounding law enforcers limited technical resources is the police state of competence in enforcing the drug law and in dealing with drug offense which has a peculiarity distinct from other crimes. Very few police are knowledgeable and have specialized training in the basics of dangerous drug laws, criminal procedure and rules of evidence which are very important weapon law enforcers must possess in fighting drug abuse. Added to this is the seeming weakness of the law and the perceived distrustful tendency of the courts over police credibility which diminishes the success of drug cases in court. Due to such tendencies, drug offenders have found the situation favorable to them and learned to seek the courts, public venues and other fora to air their complaints against the police by distorting facts to turn the tide in their favor.

Drug enforcement experience had seen basic problems that greatly affected the prosecution of drug cases in court. These problems include technical irregularities in effecting arrest of drug offenders, improper handling of evidence, poor documentation of cases, inadequate knowledge of drug laws, incompetence of some drug law enforcer, inadequate preparation of police witnesses before testifying in court, inconsistencies of police testimony in court, insufficiency of evidence and many others. These legal deficiencies have undue embarrassment, unnecessary legal counteractions and unfavorable resolution of cases which created bad image of the police.

The institutionalization of an efficient standard procedure in every aspect of anti-narcotics operation is therefore imperative. It is for this reason that a reinvigorating policy on Anti-Narcotics Rules of Engagement covering different stages of operations aimed at strengthening the reinvented on enforcement, is formulated as a new and more effective tool in curving drug abuse.

IV. PROBLEM:

The low conviction rate on cases filed before the various courts in the country may be attributable to flaws in the conduct of operations and performance in court of police witnesses. There are PNP personnel involved in anti-drug abuse operations who do not possess any specialized training on dangerous drugs, drugs laws, rules of evidence and criminal procedure. This lack of working knowledge sometimes results in procedural errors and operational oversights which cause undue embarrassments, unnecessary legal counter-action and even unexpected adverse resolution of cases filed.

V. RATIONALE:

Quite imperatively, the operationalization of efficient uniform procedures pertaining to each and every aspect of the operation must be institutionalized. The need for changes to redirect our efforts by focusing on details rather than
on generalities in the conduct of anti-drug abuses is therefore a pressing mandate.

VI. GENERAL RULES:

A. This policy covers the procedures in the following anti-narcotics operations:

1. Buy-bust
2. Search with Warrant
3. Marijuana Eradication
4. Mobile Checkpoint Operation
5. Airport/Seaport Interdiction
6. Controlled Delivery
7. Undercover Operation
8. Narcotics Investigation

B. In every anti-narcotics operation, the following stages of operations shall be observed, followed and executed:

PHASE I:

1. Planning and Preparation
2. Conduct of Operation

PHASE II:

1. Tactical Interrogation/Follow-up operation
2. Post Operation
3. Custodial Investigation
4. Prosecution
5. Trial
6. Resolution

C. Generally, lawful arrest shall only be effected with the use of Warrant of Arrest duly issued by a competent court, except as provided in Section 5, Rule 113 of the Revised Rules on Criminal Procedure, as follows:

1. When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense;
2. When an offense has in fact just been committed, and he has personal knowledge of facts indicating that the person to be arrested has committed it; and
3. When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgement or temporarily confined while his case is pending, or has escaped while being transferred from one confinement to another.

Warrantless arrest may also be validly made under the following circumstances:
1. If a person lawfully arrested escapes or is rescued, any person may immediately pursue or retake him without a warrant at anytime and in any place within the Philippines. (Section 13 Rule 113 of the Revised Rules on Criminal Procedure)

2. For the purpose of surrendering the accused, the bondsmen may arrest him or on written authority endorsed on a certified copy of the undertaking may caused him to be arrested by any police officer or any person of suitable age and discretion, (thirst paragraph. Section 20, Rule 1 14 of the Revised Rules on Criminal Procedure)

3. An accused released on bail may be re-arrested without necessity of a warrant if he attempts to depart from the Philippines without prior permission of the court where the case is pending (Second paragraph, Section 20, Rule 1 14 of the Revised Rules on Criminal procedure)

D. As a matter of policy, no search shall be conducted without a warrant. The constitutional rights of the people under Section 2, Article III of the Constitution shall at all times be respected which provides, "The right of the people to be secure in their persons houses, papers and effects against unreasonable searches and seizures of whatever nature shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce and particularly describing the place to be searched and the persons or things to be seized".

However, the conduct of search without warrant may be availed of in case of hot pursuit or urgent follow-up operation where the conduct of buy-bust or the application of search warrant will compromise or defeat the operation in accordance with the follow-in0 circumstances:

1. When the search is incidental to a lawful arrest. (Section 12, Rule 126 of the Revised Rules on Criminal Procedure. This is limited to the search of the person lawfully arrested and in the area within which the arrested person can reach for the weapon or for evidence to destroy it;
2. When the search is with the consent of the person to be searched;
3. When the evidence to be seized are in plain view of the seizing officer who has the right to be in the place to have that view; and
4. When it is a search of motor vehicle (during checkpoint operations) where it is not practicable to secure a warrant but search shall be limited to evidence in plain view;
5. When the purpose of the search is to enforce customs and tariff laws (airport and seaport interdiction).

E. The suitability of all personnel for deployment must pass the test for the capability and proper placement in assigned tasks. Informal instructions and/or specialized training must be a continuing program until every becomes effective on the job.

F. The applicable provisions of GHQ, PNP Letter directive dated 14 January 1993 on Rules of engagement shall be complied within the conduct of all anti-drug abuse operations.
VII. SPECIFIC RULES:

BUY-BUST OPERATION

1. Planning and Preparation:

   a. The operation must be proceeded by an intensive intelligence gathering, evaluation and timely dissemination. Intelligence must be evidence-based and shall be supported by documents such as Summaries of Information, Maps, Sketches, Affidavits and Sworn Statements;

   b. Intelligence operations must be covered by Pre-operations Orders and subsequently documented by appropriate reports, such as After-Surveillance and After Casing Reports with corresponding annexes, such as maps, sketches, photographs and tapes, background investigation/record checks reports and other relevant after-operation reports.

   c. The intelligence operative/agent concerned must keep and preserved noted to record any valuable information he gathers. These documents are necessary to strengthen the credibility of the arresting officers in court and during the trial as these are proof that sufficient information regarding the suspect and his activities were gathered and documented prior to his arrest.

   Other information received through walk-informers/witnesses/telephone callers and public complaints must be properly recorded in the unit's logbook, verified or referred to intelligence for decisive analysis and proper and timely disposition/dissemination.

   Dissemination of intelligence data must be timely and on need-to-know basis. After identifying the suspect/s, determining his/their movements and activities, and establishing his/their locations, the Chief of Unit/Office or his duly authorized subordinate officer shall issue a pre-operations Order indicating the name of suspect/s, address and area of operations, description and quantity of drugs subject of the offense and the team leader and members of operating team/s;

   A poseur-buyer shall be designated and buy-bust money duly marked or dusted with ultra-violet powder by requesting the PNP Crime Laboratory Group (CLG) or other authorized government agency shall be prepared. The buy-bust money shall be properly recorded in the unit blotter/logbook indicating therein the denominations, serial numbers, date/time/place of entry, person who made the entry and person who delivered the same the PNP CLG or other authorized government agency.

The following equipment shall also be prepared:

   1. Handcuffs, ropes and other gadgets to secure the suspects/s and bags/containers to secure and preserve the evidence;

   2. Vehicles, COMMEL equipment, camera, weighing scale, indelible marking pens, firearms and other appropriate equipment/gadgets.
2. Conduct of Operation

a. Before jump-off, rehearsal must be conducted as may be practicable. Formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall also be conducted;
   b. The time of jump-off must be recorded in the units blotter/logbook;
   c. Alertness and security shall at all times be observed;
   d. Actual and timely coordination with the nearest PNP territorial unit must be made;
   e. Area security and dragnet or pursuit operation must be provided;
   f. If buy-bust money is dusted with ultra-violet powder, operating elements ensure that the suspect gets hold of the same and his palm/s contaminated with the powder before giving pre-arrange signal and arresting the suspects;
   g. In pre-positioning of the team members, the designated arresting elements must clearly and actually observe the negotiation/transaction between the suspect and the poseur-buyer;
   h. The arresting team or poseur-buyer, if possible shall arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which may be concealed in his body, vehicle or in a place within arms reach;
   i. Use of necessary and reasonable force must me resorted to only in case of suspect's resistance;
   j. After lawful arrest, the arresting element shall search the body and vehicle, if any of the suspect for the recovery of the buy-bust money, other concealed evidence or deadly weapon;
   k. The arresting element shall appraise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows:

   "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 counsel, you will be provided one".

   "Pinapaalalahanan na namin na ikaw ay may karapatang magsawalang-kibo at magkaroon ng isang manananggol na iyong sariling pili, at kung hindi ino kayang umupa ng isang manananggol bibigyan ka namin ng isa".

   1. Team leader, poseur-buyer and evidence custodian shall conduct actual inventory of the seized evidence by means of weighing and/or physical counting, as the case maybe;
   m. Photographs of the evidence must be taken including the process of taking the inventory especially during weighing, and if possible under existing conditions, with the registered weight of the evidence on the scale focused by the camera;
   n. The poseur-buyer must prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof and thereafter, shall turn it over to the evidence custodian and the possessor, if possible;
o. The seizing officer (normally the poseur-buyer) and the evidence custodian must mark the evidence with their initials and indicate the date, time and place the evidence was seized;

p. Only the evidence custodian shall secure and preserve the evidence in a suitable evidence bag or in an appropriate container and thereafter, deliver the same to the PNP CLG or NBI for laboratory examination;

q. Upon completion of the buy-bust operation that resulted in the arrest of the suspect, unless a tactical interrogation of the suspect on the scene shall lead to follow-up operation, the team leader shall consolidate his forces and return to unit headquarters with the suspect and evidence for documentation.

SEARCH WARRANT

1. Planning and Preparation

a. Intensive intelligence data gathering must be undertaken for the production of evidence-based intelligence to be processed and duly disseminated. These must be supported by credible documents such as: Summaries of Information, Sketches, Sworn Statements and others of intelligence value.

b. Intelligence operations must be properly documented with Pre-operations Orders, After Surveillance and After Casing Reports supported by maps sketches, photographs, background investigation and record check reports and other relevant after-operation reports.

c. Valuable information gathered by intelligence operatives must be recorded in notebooks to be duly preserved to strengthen arresting officers’ credibility in court during trials.

d. Intelligence information gathered through telephone calls, walk-in informers, letter complaints, letter referrals and public complaints shall be duly recorded in unit logbook or blotter book and shall be verified or referred for intelligence analysis and timely disposition/dissemination. Once the identity, movements, activities and location of the suspect are establish, the unit Chief or his duly authorized subordinate officer shall issue a Pre-Operation Order for the conduct of test-buy to be undertaken by an operating team to test the genuineness of the stuff in the possession of the would-be target personality.

A laboratory examination of the stuff obtained in the test-buy shall be made by a duly accredited drug laboratory. If the result of the laboratory examination turns out to be positive of dangerous drug, application for search warrant shall be prepared and duly accomplished by the team leader and recommended by title Unit/Office Chief or by the Director, NARGROUP for units within Metro Manila. Deposition of two (2) witnesses who have personal knowledge of the subject of search shall be prepared. Search Warrant shall be applied with competent court. After the search warrant is issued by tine competent court, the Receipt of Property Seized, Certificate of Orderly Search and Drug weighing report shall be prepared.
2. **Conduct of Operation**

   a. Prior to jump-off, briefing, rehearsal, formation for accounting of personnel, checking of uniforms and required documents, inspection of firearms and equipment shall be conducted.
   
   b. Jump-off time shall always be recorded in the unit's blotter/logbook.
   
   c. Alertness and security shall at all times be observed.
   
   d. Actual and timely coordination with the nearest PNP territorial unit must be made.
   
   e. Proper coordination and assistance for the witnesses from the barangay having jurisdiction over the place where the premises to be searched is located shall be made.
   
   f. Area security and dragnet or pursuit operation must be provided.
   
   g. No civilian agent shall be allowed to be a member of the searching party.
   
   h. Instant area observation shall be made by the team leader before giving notice of his purpose and authority to the owner/lawful occupant of the premises to be searched of at least two (2) witnesses preferably Barangay Officials or responsible persons in the area.
   
   i. If refused admittance, a door or window may be broken to effect entry and search. In no case shall search be made without the presence of two (2) witnesses. j. The perimeter security group must be positioned to cover all exit/entry points before the entering/raiding group shall decisively subdue the suspect/s with the use of necessary and reasonable force only.
   
   k. Before entry, the Search Warrant shall be served by having a copy received by the respondent or any responsible occupant of the place to be searched.
   
   l. After the entering/raiding group has secured its entry into the premises, the search group and evidence custodian and two (2) witnesses shall enter the premises for the conduct of the proper search, as follows.
   
   m. If the premises to be searched have two or more rooms or enclosures, each room or enclosure must be searched one at a time and in the presence of the occupants and two (2) witnesses;
   
   n. Photographs of the evidence must be taken upon discovery without moving or altering its position in the place where it placed, kept or hidden.
   
   o. The search group and evidence custodian, supervised by the team leader, shall take actual physical inventory of the evidence seized by weighing
or counting, as the case maybe, in the presence of the witnesses to include
the suspect who must be placed under arrest upon discovery of any of the
items described in the search warrant.

p. The duly designated searching element who found and seized the
evidence must mark the same with his initials and also indicate the time, date
and place where said evidence was found and seized thereafter, turn it over
to the duly designated evidence custodian who shall also mark the evidence
and indicate the time, date and place he received such evidence.

q. Evidence seized must be weighed in the presence of the occupants
and witnesses and prepare the drug weighing report to be signed by the
arresting officers, evidence custodian, occupants and witnesses. Again,
photographs of the evidence shall be taken while in the process of inventory
and weighing scale focused by the camera.

r. A receipt and drug weighing report must be accompanied based on
the actual physical inventory and weighing of the evidence found and seized
and furnish the owner/possessor copies thereof or in his absence the
occupant of the premises and to the two (2) other witnesses in the conduct of
search.

s. The owner or occupant of the premises 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 nothing was taken except those mentioned
in the search warrant. If the suspect or occupant of the premises refuses to
sign the documents, indicate his refusal therein;

t. Only the duly designated evidence custodian shall secure and
preserve the evidence in an evidence bag or appropriate container and
thereafter ensure its immediate presentation before the court that issued the
search warrant;

u. The applicant shall cause the return of search warrant together with
the receipt of seized evidence immediate after the service of the warrant with
prayer to the court that the evidence would be forwarded to a duly
accredited/recognize drug laboratory for examination;

v. Upon completion of the search, seizure and arrest and unless the
tactical interrogation of suspect of the scene shall lead to a follow-up
operation, the team leader shall consolidate his forces to see to it that no
ransacking or looting or destruction of property is committed;

w. Thereafter the team shall immediate return to unit headquarters with
the suspect and evidence for documentation.

MARIJUANA ERADICATION

1. Planning and Preparation:

   a. The operation shall be preceded by an intelligence data gathering to
verify the existence of vast marijuana plantations and supported by
documentary evidence such as Summary Information, maps, sketches and
photographs;

   b. The intelligence operations must be appropriately documented by
Pre- operations Order and after-Casing reports duly supported by sketches,
maps, photographs and other relevant after operations reports;
c. After identifying the exact location of the target plantation and establishing the identity of the cultivator or owner of the land, if possible, coordination shall immediately be made with other AFP units in the area, especially the Philippine Air Force for availability of aircraft, if any, for assistance in the eradication operation;

d. Barangay eradication teams shall be organized in the target plantation area to complement narcotics eradication elements in the uprooting of the marijuana plants and in the information and education campaign;

e. A Pre-operation order shall be issued by the unit chief directing the conduct of eradication operation by capable and duly trained narcotics eradication forces in a pre-determined plantation sites with the assistance of other AFP units in the area and Barangay eradication teams;

2. Conduct of Operation

a. Due to great risk involved in eradication campaign, series of briefings, rehearsal, formation for accounting of personnel, checking of uniforms and documentary requirements, inspection of firearms and equipment shall be conducted;

b. The time of jump-off must be recorded in the unit's blotter/log book”.

c. Alertness and security shall at all times be observed;

d. Actual and timely coordination with the nearest PNP Police Station in the area must be made;

e. Area security and dragnet or pursuit operation must be provided;

f. If possible, only Barangay eradication teams duly organized in the locality shall do the uprooting of marijuana plants;

g. If the identity of the cultivator and/or owner of the land where the marijuana were plated are known and found in the plantation site, their arrest must be effected;

h. Necessary and reasonable force shall be resorted to only in case of suspect's resistance:

i. After lawful arrest, the arresting element shall search the body and vehicles, if any, of the suspect for other concealed evidence of deadly weapon;

j. The arresting elements shall apprise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows;

"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 counsel, you will be provided one”

(Pinapaalalahanan 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)

k. All marijuana plants shall be uprooted and marijuana seedlings and leaves must be destroyed and burned in the plantation site taking only substantial specimens for evidentiary purposes;
I. Photographs of the evidence must be taken in different angles before and while in the process of uprooting, destruction and burning.

m. Evidence custodian shall secure and preserve the evidence in a suitable evidence bag or container and thereafter, deliver the same to the duly accredited/recognized drug laboratory for examination.

n. Upon completion of the eradication operation, the team leader shall consolidate his forces to see to it that no looting or unnecessary destruction of other property is committed.

o. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

D. MOBILE CHECKPOINT OPERATION

1. Planning and Preparation:

   a. Prior intensive intelligence data gathering supported by credible summary of information, sworn statements and other valuable intelligence information which are evidence-base of shall be undertaken.

   b. The intelligence operation must be properly documented by Pre-Operation Orders, After-Surveillance and After Casing Report supported by photographs, background investigation, record checks, description of vehicles with documents and other relevant information about the target personality.

   c. Intelligence files/ documents against the suspect must be verified, validated and prepared.

   d. Operating elements shall be organized to be composed of perimeter security group, covert spotter group, interdiction group, back-up/ security group, motorized pursuit group, inspection group and evacuation group.

   e. Check-point signs and other appropriate operational equipment/gadgets must be prepared.

   f. Receipt for Property Seized, Certificate of Orderly Search and Drug Weighing Report must be prepared.

2. Conduct of operation

   a. Before jump-off, briefings, rehearsal, accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted.

   b. The time of jump-off must be recorded in unit log or blotter book.

   c. Alertness and security shall at all times be observed.

   d. Actual and timely coordination with the PNP territorial unit must be made;

   e. All vehicle inspection and person frisking should be conducted with utmost courtesy and without inconveniencing the public and unduly disturbing the orderly traffic flow.

   f. Only illegal items that are found in plain view shall be subject of confiscation. No search of vehicle and occupants thereof shall be conducted unless and until evidence in plain view if found therein.

   g. All seized items shall be properly receipted bearing the signature of the possessor, seizing element and evidence custodian.
h. The seizing elements and evidence custodian shall mark the items of the possessor, seizing element and evidence custodian.
   i. Only the evidence custodian shall secure and reserve the evidence in a suitable evidence bag or in a appropriate container with proper markings.
   j. Base on additional and contingent intelligence, the operation may be transferred to another area in pursuance of its objective; and
   k. The team leader shall consolidate his forces and return to unit headquarters upon completion of the mission which should not exceed 24 hours.

E. AIRPORT AND SEAPORT INTERDICTION

1. Planning and Preparation:

   a. Intensive intelligence and data gathering supported by summary of information, sketches, sworn statements and flight/travel data shall be conducted.
   b. Intelligence operation must be appropriately documented by Pre-Operation Orders and After Surveillance Reports supported by photograph of the target personality, sketches, names of local connections, report of background investigation and record check and other relevant information.
   c. Operational and technical equipment shall be prepared;
   d. Receipt of property seized, certificate of Orderly Search and drug weighing report must be prepared;

2. Conduct of Operation

   a. Coordination with airport and seaport authorities about the conduct of narcotics operation within their territorial jurisdiction must be made;
   b. Inspection and effecting arrest of suspect must be left to the airport or seaport authorities unless allowed to conduct a joint operation;
   c. The person arrested by the airport or seaport authorities must be placed under arrest when he is turned over to the NARGRP arresting elements for investigation;
   d. Actual physical inventory of the evidence by weighing or physical counting must be taken in the presence of the authorized person who discovered the same, the suspect and other responsible persons;
   e. Photographs of the evidence must be taken while conducting inventory especially when weighing and making sure that the registered weight in the scale is focused by the camera;
   f. The duly designated evidence custodian shall mark the evidence with his initials and indicate the time, date and place be received and evidence and thereafter secure the same in a suitable evidence bag or container;
   g. The duly designated evidence custodian shall issue a receipt based on the actual physical inventory of the evidence confiscated for issuance to the person who named over the same;
   h. The investigator shall take the sworn statement of the authorized person who discovered and seized the evidence and all possible witnesses to the discovery and seizure of said evidence;
i. Only the duly designated evidence custodian shall secure and preserve the evidence in an evidence bag or appropriate container and thereafter ensure its immediate presentation of same to the proper drug laboratory for forensic examination;

j. Tactical interrogation on suspect must be conducted for possible follow-up operation and intelligence consumption only and not for evidentiary purposes unless the interrogation is taken in the presence of his counsel;

k. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

F. CONTROLLED DELIVERY

1. Planning and Preparation

   a. Prior intensive intelligence data gathering and evaluation to determine the applicability of controlled delivery operation shall be conducted. Intelligence information derived from an informant, other police agencies or international law enforcement agencies shall be properly recorded and document;

   b. Intelligence operation must be supported by credible documents such as summary of information, maps, sketches, sworn statements, photographs, after casing/surveillance reports, background investigation reports and record checks;

   c. Controlled delivery operations shall be conducted only against drug and notorious drug personalities involving big volumes of drugs;

   d. A project proposal for the conduct of Controlled Delivery Operations shall be timely prepared and forwarded to the Chief, PNP his approval. In no case shall controlled delivery operations be conducted without prior CPNP approval;

   e. A committee or board shall be constituted to study and evaluate a project proposal for the suitable employment of a controlled delivery operation. The committee or board shall be composed of a responsible ranking police officers in the PNP Directorial Staff and Director, NARGRP who shall prescribe the requirements, limitations and guidelines in the conduct of controlled delivery operation. It shall issue the necessary documents authorizing the conduct of controlled delivery operation indicating therein the names of participating elements and other pertinent data;

   f. Only selected and duly trained elements of the PNP NARGRP shall undertake the controlled delivery operation to the exclusion of other PNP units to prevent the abuse of its employment and rivalry among other police units;

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

   h. Selected elements to undertake the delicate operation shall be isolated from other operatives by confinement in a discreet place to be designated by the committee or board to avoid any leak that may compromise the operation;

   i. If controlled delivery proposal emanates from international police agency, a formal written communication endorsed by the requesting foreign
government duly coursed through the "Interpol" shall be forwarded to the Chief, PNP;

j. The conduct of controlled delivery shall be either by way of a courier escorted by an undercover agent or by way of combination of moving and electronic surveillance, depending upon the magnitude of the operation, the source of the stuff to be delivered, the capability of the participating elements and other circumstances affecting the operation. The most important paramount consideration shall be one that is consistently effective in the control of the courier without losing hold of him until arrest is effected.

2. Conduct of Operation

a. While the selected elements are confined, series of briefings and rehearsals shall be conducted as may be practicable;

b. Before jump-off, formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted;

c. The time of jump-off shall be recorded in the unit's blotter/log book or in the team leader's notebook which shall contain the diary of events that transpired during the start of the operation until the arrest of the suspects is effected. The notebook shall be preserved as a special blotter book to form part of the documents covering the operation;

d. Alertness and security consciousness shall at all times be observed by the operating elements;

e. Actual and timely coordination with the nearest PNP territorial unit must be made;

f. Discreet route and area security must be provided to the operation by undercover operatives and territorial units requested to assist in the operation;

g. In positioning of the undercover operatives they — striking position the transaction between the target suspect-consignee and the courier;

h. The arresting undercover operatives, if possible shall arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which may be concealed in his body, vehicle or in a place within arm reach;

i. In cases of controlled delivery operation with the participation of foreign police agencies, only the selected NARGRP operatives shall undertake the police operation and arrest of the suspects;

j. After lawful arrest, the arresting element shall search the body and vehicle, if any, of the suspect for other concealed evidence or deadly weapons;

k. The arresting element shall appraised suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows:

"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 counsel, you will be provided one"

(Pinapaaalalahanan ka namin na ikaw ay may karapatan magsawalang- kibo at magkaroon ng isang manananggal na iyong sariling pili, at Rung hindi mo kayang umupa ng isang manananggal bibigyan ka namin ng isa)
Team leader and evidence custodial shall conduct actual inventory of the seized evidence by means of weighing and/or physical counting as the case maybe; Photograph of the evidence shall be taken while in the process of conducting inventory especially during weighing, and if possible under existing conditions, the registered weight of the evidence on the scale focused by the camera.

The evidence custodian must prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof. The receipt shall be signed by the team leader, evidence custodian and the possessor, if possible;

The seizing officer and the evidence custodian must mark the evidence with their initials and indicate the date, time and place evidence was seized;

Only the evidence custodian shall secure and preserve the evidence in a suitable evidence bag or in an appropriate container and thereafter, deliver the same to the PNP CLG or NB1 for laboratory examination. Upon completion of the controlled delivery operation, unless tactical interrogation of suspect on the scene shall lead to a follow-up operation, the team shall consolidate his forces to see to it that no ransacking or looting of property is committed:

r. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation,

G. UNDERCOVER OPERATION

1. Planning and preparation

a. Undercover operation shall be resorted to only under circumstances where evidence can be hardly in an open investigation is unsuccessful;

b. This type of operation is in itself an intelligence operation which shall very widely depending upon the settings and situation undercover agent will penetrate;

c. The undercover objective shall be directed towards the obtaining of information and intelligence, obtaining of evidence for the prosecution of drug offender, identify the suspects engaged in drug trafficking, determine the location of drugs and prove the association between drug conspirators;

d. A highly qualified, competent, duly trained and well rounded investigator shall be designated as an undercover agent who must be discreet in his thought and action to avoid any possible compromise and his mission;

e. A duly designated undercover agent shall prepare his assignment by orienting himself toward selecting an assumed identity and determining a fictitious background for his new character which shall be consistent with his personality traits and characteristics;

f. The cover story of an undercover agent shall be supported by information which may be essentially true, entirely false or a combination of both. It must also present an account compatible with the undercover agent’s
personality, capabilities and experiences;

g. He shall have a thorough knowledge of the suspect's personal circumstances. He shall be familiar with the suspect's name, aliases, past and present addresses, description, family relatives, associates, vices, hobbies, occupation and specialty;

h. The undercover agent assumed identity shall be thoroughly documented to include his personal and official background story which must be readily available for verification anytime. Official documents which may be obtained in an assumed name are;

(1) Driver's license
(2) Birth certificate
(3) Vehicle registration
(4) Employment records & ID cards
(5) Marriage certificate
(6) Life insurance records
(7) Medical records

All the above documentation shall be strictly controlled and be returned to the issuing agency upon completion of the undercover mission, if required.

Personal documentation shall include the following:

(1) Personal correspondence
(2) Photographs and family picture
(3) Marking on personal equipment
(4) Others

1. A project proposal shall be prepared and submitted for the approval of the Director, NARGRP.
2. Conduct of operations

   a. Before putting an undercover assignment into operation, series of briefing and rehearsals of the designated undercover agent shall be conducted;

   b. The first thing an undercover agent shall do is to determine how to reach the target personality. He may employ the use of an informer who can furnish information who may accompany the undercover agent for an initial contact with the subject;

3. Names of associates, business transactions, business interests, depositary, back accounts and others;
4. Other valuable assets.

   m. If possible, the undercover agent must discreetly gather documentary and physical evidences and send them immediately to unit headquarters to avoid being compromised while in possession thereof;

   n. As soon as sufficient evidences are obtained to pave the way for the arrest of the suspects and eventual dismantling of the drug syndicate, an
affective and workable narcotics operation may be launched either through buy-bust or search with warrant operation;

o. The undercover operation may be terminated by employment of the following techniques:

(1) The undercover agent may make a natural exit undetected of his true identity by giving a justifiable reason prior to launching a narcotics operation to effect the suspect's arrest;

(2) An appropriate narcotics operation may be launched by effecting the arrest of the undercover agent together with the suspects but the former shall be charged with separate offense to avoid suspicion on the latter;

(3) The suspect may be apprehended while committing a criminal act through a sufficient information supplied by the undercover agent without showing any suspicion on the latter;

p. If buy-bust or search with warrant narcotics operation is launched to effect the arrest of the suspect, the procedure in the said narcotics operation shall be observed and followed;

q. The team leader and the undercover agent must be aware of the following precautions and possible pitfalls:

(1) The Cover Detail composed of other investigators must be fielded discreetly to ensure safety of the undercover agent and to corroborate his testimony.

(2) The undercover investigator must be aware of the possible consequences that could result if he acts too friendly with female associates of the suspect.

(3) Drinking intoxicating liquor should be limited to the minimum required by the circumstances and the undercover investigator may be able to avoid drinking by using a logical excuse.

(4) Under no circumstances should a government vehicle containing contraband be given to the suspect for his use in delivering the contraband to other customers.

(5) Personal misconduct of the undercover agent must not be tolerated.

H. NARCOTICS INVESTIGATION

1. Planning and Preparation

a. Narcotics investigation is a necessary tool employed by drug enforcement agencies in building up relevant and competent evidences which are vital in the development of a drug case;

b. Several investigative techniques may be utilized for the successful attainment of this operation, such as but not limited to: use of informants, interviewing and interrogation, surveillance operations and undercover operations;

c. The best effective way of investigative technique or combination of two or more or all under a given situation and setting shall be determine by considering the following:
(1) the magnitude of the narcotics violation/involvement of the suspect;  
(2) the degree of the involvement or participation of the suspect in the  
drug syndicate;  
(3) his extent of influence in the drug syndicate;  
(4) his usefulness to reach the other members of the drug syndicate;  
(5) the method of effecting his arrest;  

d. Selection of narcotics investigator shall be given special importance  
by considering his suitability in the particular investigation. The narcotics  
investigator shall be trained in surveillance operation as he would be involved  
in discreet investigation and gathering of pertinent evidence. The good  
qualities of a narcotics investigator are:  

(1) He must have an ordinary appearance to easily blend in with the  
environment where he undertakes his assignment;  
(2) He must have the availability to act naturally and flexibly under  
given circumstances to make himself part of the scene;  
(3) He must be resourceful and have a high degree of alertness as well  
as the ability to exercise his powers of observation and memory to be able to  
remember and retain events and descriptions of contacts that quickly take  
place before his eyes;  
(4) He must possess enduring perseverance and patience adaptable to  
the mood of the suspect;  

e. The information may come from various sources such as, informant,  
other law enforcement outfit, intelligence units, ordinary cooperating citizens,  
from other government agencies, telephone calls and letters. All such  
information shall be properly recorded in official log/blotter books;  

f. A duly designated narcotics investigator shall keep and preserved  
notes to record any valuable information he may gather during his conduct of  
investigation. The designation of a narcotics investigator shall be covered  
with a unit designation order to make his investigation officially documented;  

g. A designated narcotics investigator shall be well equipped with  
camera, binoculars, telescopes, tape recording equipment, motor vehicle,  
radio, paper units, other communication equipment and other appropriate  
utilites that may be necessary to suit his approach of the target;  

h. Any information received shall be thoroughly evaluated, verified from  
other sources and conferred with other drug enforcement agencies.  
Examination and verification of records may also be unloaded to other non-  
police private and government agencies who can provide leads and other  
value information about the suspect;  

2. Conduct of Operation  

a. Before the start of narcotics investigation, the investigator must  
familiarize himself with the preliminary information obtained from other  
ources during the planning and preparation stage;  

b. The texts of starting the narcotics investigation shall be recorded in  
the unit's log/blotter book;
c. Informants who have wide variety of knowledge about the involvement of the suspect in drug trafficking and in the drug syndicate shall be interviewed;

d. Observation of the residence and other places the suspect stays or frequently visits, vehicles he uses, his activities and persons he meets shall be undertaken;

e. Numerous interviews of people who know the suspect and can provide valuable and leading information about him shall be conducted;

f. People who are known to have hostile relationship with the suspect shall be interviewed since they are likely to supply the suspect's involvement in illicit drug activity;

g. Information and if possible valuable documents shall be obtained from the business associates and friends of the suspects;

h. The investigation shall familiarize himself with the type of neighborhood of the suspect, inhabitants, language and manner of dressing to enable him to blend in with the neighborhood for easy accessibility and obtaining of information;

i. After sufficient evidences are obtained for the filing of court action against the suspect, documents shall immediately be readied to be filed with the prosecutor's office for preliminary investigation;

j. Should there be justifiable reason to arrest the suspect after narcotics investigation and there is good chance to get him and his cohorts while in the actual commission of drug offense, the most appropriate and workable narcotics operation shall be implemented following the procedure applicable thereunder.

Phase II:

After completing phase I, the following stages of operation which are applicable to all types of anti-narcotics operation shall subsequently ensue to be observed and executed:

1. TACTICAL INTERROGATION/FOLLOW-UP OPERATION

a. Tactical interrogation shall be conducted on the suspects at the scene, during transit to, and at the unit headquarters for purposes of possible follow-up operations and intelligence consumption and not for evidentiary purposes;

b. Follow-up operation shall be conducted as far as practicable by applying the same procedures in the conduct of the appropriate and applicable narcotics operation.

2. POST OPERATION

a. Upon arrival at the unit headquarters, tactical interrogation shall continue, both for follow-up operation and intelligence build-up only;

b. Arrested persons must be segregated for the conduct of custodial investigation and only investigators, relatives and lawyers of the suspect will be allowed access to them;
c. A Spot Report shall be prepared and submitted immediately upon arrival at unit headquarters to be followed by an After-Operation Report to be submitted to Director, NARGRP (Attn: Chief, Operations Division), copy furnished Director, NARGRP (DNG), Deputy Director, NARGRP (DDNG), Chief Directorial Staff (CDS) and Chief, Legal and Investigation Division (CLID) not later than 24 hours upon arrival at unit headquarters and in accordance with appropriate communication channel;

d. A medical examination of the arrested persons must be undertaken within two (2) hours after arrival at exit headquarters in coordination with the PNP General Hospital or any government hospital;

e. Seized and confiscated evidence must be brought immediately to the PNP CLG or other authorized government agency for laboratory examination by the duly designated evidence custodian;

f. Suspects arrested in a buy-bust operation whose hands were contaminated with the use of dusted mark money shall not be allowed to wash their hands nor fingerprinted upon arrival at unit headquarters but shall be immediately brought to the PNP CLG or other authorized government agency, without delay, for laboratory examination and drug test;

g. After the laboratory examination, the arrested persons shall be booked and fingerprinted.

3. CUSTODIAL INVESTIGATION

The provisions of RA 7438 must be observed at all times in the conduct of custodial investigation where a counsel must be present and must be completed within the reglamentary period prescribed in Art 125 of the revised penal code, as amended, and in accordance with the pertinent provision of RA 7659. The following table shall be strictly observed in the conduct of custodial investigation and filing of cases.

4. PROSECUTION OF THE CASE

a. Within the reglamentary period as shown above the case must be filed before the Prosecutor's Office or Municipal Trial Court in the provinces/towns for inquest proceedings. This shall be attended by the team leader, arresting elements, evidence custodian, poseur-buyer, others who executed the affidavits and effected the arrest and the arrested persons;

b. If preliminary investigation is requested by the arrested person, all personnel duly notified to appear in the proceedings before the Prosecutor's Office must religiously attend with prior preparation by diligently reviewing the case records. All notices/subpoenas/processes shall be recorded by the OCLID for units within Metro Manila and by the Chief, Unit Investigation Section in the field. All procedural requirements in the proceedings must be promptly complied with;

c. In the provinces/towns where there are no inquest prosecutors available, filing of the case may be made before the MTC/MCTC where the presiding judge thereof conducts the inquest proceedings or investigation and issues warrant of arrest and commitment order.
d. After inquest, the living person of arrested person must be turned over to the city/municipal jail with corresponding commitment order of the inquest prosecutor/judge.
e. The following are the requisite documents in filing the case:

A. Buy-Bust Operation

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of Poseur-buyer;
4. Detailed Affidavit of Evidence Custodian;
5. Accomplished letter requests for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;
6. Accomplished letter request for ultra-violet dusting of marked money;
7. Receipt of the evidence seized/confiscated;
8. Accomplished drug weighing report;
9. Booking sheet and arrest report;
10. Accomplished booking sheet and arrest report;
11. Photographs, sketches, maps, etc.
12. Buy-Bust money used during the conduct of the operation;
13. Accomplished letter request for drug test and corresponding result, if any;
14. Other documents of evidentiary value.

B. Search with Warrant

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of Poseur-buyer;
4. Detailed Affidavit of Evidence Custodian;
5. Accomplished letter requests for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;
6. Accomplished letter request for ultra-violet dusting of marked money;
7. Receipt of the evidence seized/confiscated;
8. Accomplished drug weighing report;
9. Booking sheet and arrest report;
10. Accomplished booking sheet and arrest report;
11. Photographs, sketches, maps, etc.
12. Buy-Bust money used during the conduct of the operation;
13. Accomplished letter request for drug test and corresponding result, if any;
14. Other documents of evidentiary value.

C. Marijuana Eradication

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest, if there is any arrest made;
3. Detailed Affidavit of raiding element, if no arrest made but the cultivator is identified;
4. Affidavit of persons who have personal knowledge of the identity of the cultivators;
5. Detailed Affidavit of Evidence Custodian;
6. Accomplished letter requests for laboratory examination of evidence and corresponding results thereof;
7. Receipt of properly seized;
8. Accomplished drug weighing report;
9. Accomplished letter request for drug test and arrested persons, if any, and corresponding result thereof, if available;
10. Photographs, sketches, maps, etc.
11. Accomplished booking sheet and arrest report, if there is arrest made;
12. Others of evidentiary value.

D. Mobile Checkpoint Operation

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of Evidence Custodian;
4. Accomplished letter requests for laboratory examination and corresponding results thereof;
5. Receipt of the property seized;
6. Accomplished certificate of Orderly Search;
7. Accomplished drug weighing report;
8. Accomplished letter request for drug test and corresponding result, if any;
9. Accomplished Booking sheet and arrest report;
10. Photographs, sketches, maps, etc.
11. Others of evidentiary value.

E. Air/Seaport Interdiction

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of Evidence Custodian;
4. Accomplished letter requests for laboratory examination and corresponding results thereof;
5. Receipt of the property seized;
6. Accomplished certificate of Orderly Search;
7. Accomplished drug weighing report;
8. Accomplished letter request for drug test and corresponding result, if any;
9. Accomplished Booking sheet and arrest report;
10. Photographs, sketches, maps, etc.
11. Others of evidentiary value.

F. Controlled Delivery Operation

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/
Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of the duly designated escort;
4. Detailed Affidavit of Evidence Custodian:
5. Accomplished letter requests for laboratory examination of evidence and corresponding results issued by the examining laboratory;
6. Receipt of the evidence seized/confiscated;
7. Accomplished drug weighing report;
8. Photographs, sketches, maps, etc.
9. Accomplished letter request for drug test and corresponding result, if any;
10. Others of evidentiary value.

G. Undercover Operation

The same documents as in the narcotics operation implemented in effecting the arrest of the suspect shall be prepared.

5. TRIAL OF THE CASE

1. All personnel duly notified to appear before the court to testify in the trial of the case shall religiously attend to and shall submit their court duly schedules and after-court-duty report to Office of the Chief, Legal and Investigation Division (OCLID) for recording and monitoring purposes;
2. All duly issued court processes must be properly complied with and returned by concerned personnel;
3. All units shall maintain and display in conspicuous places the respective court duty schedule
4. Any apparent or noticeable irregularity during the hearing of the case by the court shall at once be acted upon by the unit Chief, by calling the attention of the Judge and/or reporting it in writing with corresponding documents to DNG.

6. RESOLUTION

a. Team leader or arresting officers shall attend the scheduled promulgation of decision.
b. A copy of the decision shall immediately be forwarded to Headquarters, NARGRP (Attn: CUD) for evaluation and records purposes.

TACTICAL BRIEFING

In all cases, a tactical briefing shall be conducted by the team leader (Officer) with all the members of the team present with the critical observation of the Chief, Unit/Office or his duly authorized subordinate Officer, which must clearly present the following:
1. Details on the identity of the suspect/s, the area of operations and the items to be seized;
2. Designation of tasks of each member and their respective groupings as applicable, which shall include the support services (drivers, signal personnel and spotters), intelligence/arresting, entering/raiding, security back-
up, search, investigation, evidence custodian, photographer, recorder and perimeter security group, depending upon the kind of narcotics operation to be executed;

3. Firepower, mobility and communications capability; and
4. Movement plan, convoy arrangement and area deployment.

COORDINATING INSTRUCTIONS

A. The following coordinating instructions shall be observed and followed:

1. As far as practicable all operations must be officer-led.
2. All evidence seized during the operation shall be turned over/referred to the appropriate government agency for custody/examination. In no case shall evidence be retained and kept by the arresting unit;
3. Motor vehicles shall be released to the lawful owner/claimant upon presentation of proof of ownership and after approval by the prosecution office or court. Release shall be properly documented with Technical Inspection Report and receipt by the claimant. Should there be no claimant of the motor vehicle, it shall be turned over to the PNP Traffic Management Group (TMG) with proper documentation.
4. Required reports for every stage of case development in accordance with the computerized case tracking system shall be submitted by all units to OCLID not later than the due dates indicated under the policy for records updating and monitoring purposes;
5. A record of case-tracking of cases shall by maintained by OCLID and by respective Investigation Section of the units which shall be the basis of OCLID for the submission of consolidated Monthly report to DNG, Office of the Chief, Intelligence Division (OC1D) and the Office of the Chief Operations Division (OCOD) not later than the 5th day of the following month;
6. All units shall submit records of cases to include court processes pertinent thereto to OCLID for record evaluation purposes;
7. CLID and respective Chief of units shall be primarily responsible for the monitoring/submission of report regarding resolution of cases. Copies of prosecutor’s or court resolution/decision of cases shall be submitted to OCLID for record and evaluation purposes;
8. Personnel responsible for the conviction of big drug offenders considered in the watch list after a full blown trial shall be accorded the appropriate award;
9. Personnel who are found to have caused the dismissal of cases on acquitted of accused due to their obvious deliberate failure to identify in court neglect in their court duty on some other acts or misconduct resulting in the loss of the case, shall be according investigated with the unit Chief;
10. CPIO shall cause the dissemination thru the tri-media of any resolved cases which is worthy of public information and of upgrading PNP credibility;
11. The conduct of any anti-drug abuse operation should not unduly inconvenience the public nor cruelly treat suspects;
12. Humane treatment of arrested suspects must be observed at all times;
13. Conduct of debriefing/critique shall pinpoint areas for improvement and shall record lessons for returning/relearning;

14. The identity of informants shall be fully safeguarded and shall unnecessarily be exposed to obviate any possible reprisals against them and their families and to insure a constant and continuing flow of valuable source of illicit drug activities from them.

15. Use of phrases "acting suspiciously" and "strategic position" in sworn statement/affidavits shall be avoided. Instead detailed description of what was observed and actions taken during the operation shall be indicated in the affidavits.

16. Surveillance reports and affidavits shall be prepared and executed by those who actually made the observations and actions during the conduct of specific operations.

B. The following Hqs NG issuances shall be applicable in the implementation of this SOP:

1. Ltr Dir dtd 14 June 1993, Creation and Operation of PNP NARCOM Personnel Suitability Committee, which will determine the fitness of every personnel to perform his assigned tasks in the operation.

2. Ltr Dir dtd 14 June 1993, Custody of Detainees, which provides, among others, that all detainees must be covered by a Commitment Order or Warrant of Arrest after the reglamentary period of 18 and 36 hours for custodial investigation, otherwise they have to be released in the absence of any other group to detain them further.

3. Ltr Dir dtd 14 June 1993, Custody of Confiscated/Seized Items, which provides, among others, that those constituting as evidence shall be properly marked and preserved while those not shall be returned to the lawful owner/possessor NLT 24 hours from the completion of Investigation Report, covered by proper receipt.

4. Ltr Dir dtd 21 June 1993, Utilization of Civilian Agents, which is limited to intelligence production and support services only.

5. Ltr Dir dtd 22 June 1993. Functional Relationship between CLID and SOD/MMNOs, RNOs for facility of action and pinpointing of responsibility.

6. Ltr Dir dtd 22 June 1993, Handling of Operational Oversights, which will lead to the conduct of a fact finding inquiry on all complaints/ allegations of irregularities in the conduct of operation.

7. Ltr Dir dtd 23 June 1993, Court Appearances of NARCOM Personnel, which an official duty.
APPLICATION FOR SEARCH WARRANT

THE UNDERSIGNED, PINSP RICARDOY ABANDO, presently assigned with the Metro Manila Narcotics Office, PNP Narcotics Group, Camp Crame, Quezon City after having been duly sworn to in accordance with law do hereby depose and states the following under oath: 

1. That, I have been informed and verily believes that MR REYNALDO PORMASDORO, alias CHANG WE who may be found at the premises of his residence at No 144 Bigayan St., Calamba, Laguna, have in his possession/ control the following property/properties.

- Undetermined quantity of shabu and drug paraphernalia- Which he is keeping and concealing in the premises above described.

2. That the undersigned has verified the report and found it to be a fact and therefore has reason to believe that Search Warrant should be issued to enable the undersigned to take possession and bring to this honorable court the following described property.

- Undetermined quantity of shabu and drug paraphernalia-

Therefor, the undersigned prays this Honorable Court to issue a Search Warrant authorizing him and his agents or any peace officer to search the premises described in this application and to seized and bring to this Honorable Court the personal property above described to be dealt with as the law directs.
REYNOR R GONZALES RENE M MARAMO RICARDO Y ABANDO
PSRSUPT (GSC) POLSUPT PINSP
D1R, NARGRP C, OPNS DIV (APPLICANT)

SUBSCRIBED AND SWORN to before me this ___ of———1999
at __________________.
Republic of the Philippines  
REGIONAL TRIAL COURT  
NATIONAL CAPITAL JUDICIAL REGION  
Branch 109, Pasay City

People of the Philippines  
Plaintiff -versus-  
REYNALDO PORMASDORO

Calamba, Laguna  
Respondent

Search Warrant No._  
For: Violation of Sec. 16

X________________________________________X

Article III RA 6425 as amended.

DEPOSITION OF WITNESS

I Police Officer 1 (PO 1) Mark Joseph Laygo PNP, of legal age, Filipino after having been duly sworn to in accordance with law, testifies as follows:

Q: State your name and other personal circumstances.

A: I Mark Joseph Laygo, 24 years old, single, native of Manila, a member of the PNP with the rank of PO 1 and presently assigned with Special Operations Division (SOD) station at PNP NARGRP, Camp Crame, Quezon.

Q: Do you know POLICE INSPECTOR RICARDO Y ABANDO, the applicant in this Search Warrant?

A: Yes, your Honor, he is the Chief Operations Section, SOD as well as our Team Leader.

Q: Are you familiar with the residence No. 144 Bigayan St., Calamba, Laguna?
A: Yes, your Honor, I know the premises of said residence.

Q: Do you have personal knowledge that in said premises, undetermined quantity of Methamphelamine Hcl (Shabu) and paraphernalias for its used kept, intended to be used as means of committing an offense?

A: At around 7:00 o'clock in the evening of April 5, 1999, I was introduced by a confidential informant as a buyer of Methamphetamine Hcl to respondent who admitted us inside said residence. I was able to produce three thousand pesos (P3,000.00) worth of regulated drugs which the respondent who then assured me of the availability of Methamphetamine Hcl whenever I wish to buy.

PO1 Mark Joseph Laygo PNP
(Respondent)

SUBSCRIBED AND SWORN to before me this___day of____ 1999 here at Pasay City, Metro Manila.

HON. ANTONIO J FINEZA, Exec Judge
MEMORANDUM

FOR       : Director, Crime Laboratory Group
FROM     : Director, Narcotics Group
SUBJECT : Laboratory Examination, Request for
DATE     : 08 April 1999

1. Request conduct Laboratory Examination on the seized suspected drugs which was confiscated from the possession and control of one__________

who was arrested by the elements of this Unit on or about

_April 1999 at.

EXHIBIT:               QUANTITY/DESCRIPTION:
"A"                     Approximately two (2) grams of
Methamphetamine        HC1 (shabu) in a heat-sealed transparent
                        plastic bag.
                        (Seized from the possession of @Inday)

2. Further request furnish this office copy of the examination conducted thereof, for our investigative reference.
MEMORANDUM

FOR : Director, Crime Laboratory Group
FROM : Director, Narcotics Group
SUBJECT : Laboratory Examination, Request for
DATE : 08 April 1999

1. Request conduct Laboratory Examination on the submitted evidence to determine the presence of Methamphetamine HC1 a regulated drug:

EXHIBIT: QUANTITY/DESCRIPTION:

"A-1" Approximately two (2) grams of Methamphetamine HC1 (shabu) in a heat-sealed transparent plastic bag. (Seized from the possession of @Inday)

"A-2" More or less 2.9 grams of suspected Methamphetamine HC1 in a heat-sealed transparent bag. (Seized from motorcycle being used by Raul)

2. Facts of the case:

a. Nature of Case/Violation:

Sec 16, Art III, of RA 6425, as amended

b. Name of Suspects:

c. Date/Time, Place of Arrest/Seizure:

0811 OOH Apr 99 #17-F P. Tuazon, Cubao, QC
d. Arresting Officer

3. Further request furnish this Division result of laboratory examination for inquest purposes.

Chief, SOD. NARGROUP
Republic of the Philippines
Regional Trial Court
National Capital Judicial Region
Caloocan City Branch

People of the Philippines

Plaintiff

-versus-

Search Warrant No.

For: Violation of Sec. 16 Art III of RA 6425 as amended.

©Inday of#17-F P. Tuazon St., Cubao, Quezon City

Respondent

RETURN OF SEARCH WARRANT

Respectfully returned to this Honorable Court is the attached Search Warrant Nr.____ issued on April ___ th, 1999, with the information that the same was duly served on or about 5:45 in the morning of April___, 1999, and the seized were the property described hereunder and subject of said Search Warrant, and the same to form an integral part of this return:

EXHIBIT: QUANTITY/DESCRIPTION:

"A-I"
Approximately two (2) grams of Methamphetamine HC1 (shabu) in a heat-sealed transparent plastic bag. (Seized from the possession of @Inday)

"A-2"
More or less 2.9 grams of suspected Methamphetamine HC1 in a heat-sealed transparent bag. (Seized from motorcycle being used by Raul)

Please be informed that a case of violation of Section 16, Article III of Republic Act 6425, as amended, is being readied against Respondent At-large, __________, who was nowhere to be found during the service of said search warrant witnessed byj.-wo B-araH-ga.)L.Qficials of the area and the son of the Respondent, pending re^pi^r|j.^Trte-jslational Police Crime Laboratory Group at Camp Crarne, Quez<|BLGjty on the^ enemicaj analysis of seized evidence.

^,i;indeciitj'entd*Stip8<£S^oi.&8 Colt pistol bearing serial number -with^joejTullv^ loaded magazirfe' found from under the bed of __________ was also seized, being illegal, and a case of violation of PD 1866 will be filed against __________, pending result of verification from the
Philippine National Police Firearms and Explosives Division at Camp Crame, Quezon City.

Very truly yours,

SUBSCRIBED AND SWORN to before me this____th day of April 1999, here at Caloocan City, Metro Manila.

Executive Judge
Republic of the Philippines  
Regional Trial Court  
National Capital Judicial Region  
Caloocan City Branch

People of the Philippines  
Plaintiff -versus-  
@Inday of#17-F P. Tuazon St.,  
Cubao, Quezon City  
Respondent

X__________________________________X

Search Warrant No._
For: Violation of Sec. 16 Art III of RA 6425 as amended.

MOTION TO TAKE CUSTODY OF SEIZED ITEM

COMES NOW the undersigned, POL SR INSPIR ____________, the Search Warrant Applicant, and unto this Honorable Court respectfully states the following:

That, on or about 9:00 o'clock in the morning of April___, 1999, a team led by the undersigned served Search Warrant yielded to the Seizure of approximately half (.50) gram of suspected Methamphetamine HCl, a regulated drug. (Copy of Receipt for Property Seized attached)

That, for purposes of investigation and laboratory examination, the undersigned request this Honorable Court to issue order authorizing the undersigned or his authorized representative to take custody of the seized item.

A copy of request for laboratory examination to the Philippine National Police Crime Laboratory Service at Camp Crame, Quezon City is attached to form part of the petition.

WHEREFORE, it is most respectfully prayed for that this Honorable Court merit favorable action on this motion.

Subscribed and sworn to before me this___th day April____- 1999 here at Caloocan City, Metro Manila.

Very truly yours,
Executive Judge
MEMORANDUM

FOR: Chief, Legal and Investigation Division

(Attn: Duty Inves/Duty Warden)
FROM: Chief, Special Operations Division
SUBJECT: Turn-over of Arrested Suspect and Relative Documents
DATE: 08 April 1999

1. Turned-over for investigation and proper disposition is the person of ______________________ who was arrested by operatives this Division led by the undersigned on or about 081300H April 1999 at #17-F P. Tuazon St., Cubao, Quezon City after selling approx____grams of shabu. Buy-bust money in four hundred peso bills was retrieved from his possession.

2. Likewise, turned-over are the following pertinent documents for reference.
   a. Joint affidavit of Arrest/Poseur-buyer
   b. Booking Sheet and Arrest Report
   c. Receipt of Property Seized.
   d. Xerox Copies of buy-bust money. (Original money in the custody of this Division)

3. The result of laboratory examination and physical examination from the PNP Crime Laboratory Group will follow.

4. Request acknowledge receipt.

FOR THE DIVISION CHIEF:
(Date)

Sa mga Kinauukulan,

Ako po ay si ______________ may ___________taong gulang may asawa/walang asawa, nagtatrabaho sa________________ at nakatira sa ________________. Ay naimbilahan sa opisina nang SOD, Narcotics Group, Camp Crame, Quezon City, tungkol sa mga ipinagbabawal tulad ng shabu, marijuana at iba pang ipinagbabawal.

Ako po ay sumama, at hinci tinakot, sinaktan, hiningan nang pera at walang nawala sa akin nang mahahalagang bagay. Wala po akong reklamo sa mga tauhan nang SOD, PNP Narcotics Group, Camp Crame, Quezon City.

Pangalan
MEMORANDUM

FOR : Director, Narcotics Group
FROM : Chief, Special Operations Division
SUBJECT : Arrest of ______________

DATE : 08 April 1999

1. References:

2. On 071830H April 1999, elements of 801st ASS, PAFSECOM under LTCOL PEDRO SANTOS PAF, turned-over to the NARGROUP NAIA Detachment one (1) plastic bag containing approximately twenty (20) grams of dried marijuana leaves and 38 pcs of white rolling papers which were confiscated from ______________, Filipino, 24 years old, single, and a holder of Passport No. __________, a departing overseas contract worker St., Saudi Arabia, with permanent address at 315 ____. The dried marijuana leaves and rolling papers were properly wrapped discreetly for and intact in the false bottom of his luggage.

3. Suspect was arrested at the Final-Check-ln, West Satellite, NAIA Pasay City during a routing inspection of departing passengers of PAL Flight No. _______bound for Saudi Arabia via Dubai.

4. A case for violation of Section 4, Article II, RA 6425 is being readied against the suspect.

5. For your information.
REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF JUSTICE  
NATIONAL PROSECUTION OFFICE

(Complainant)  
- versus- 

FOR: Violation of Section 15  
Article III, RA 6425  
as amended

REQUEST FOR PRELIMINARY INVESTIGATION AND WAIVER  
OF ARTICLE 125, REVISED PENAL CODE

I wish to avail of my rights to a preliminary investigation and for this purpose,  
I hereby voluntarily waive my rights under the provisions of Article 125 of the  
Revised Penal Code. Pending the completion of the preliminary investigation  
proceedings, I agree to remain under the police custody.

Special Operation Division, Camp Crame, Quezon City, Philippines, April___,  
1999.

(Respondent)  
Assisted by:

(Counsel/Responsible Person)

SUBSCRIBED AND SWORN to before me this ____ day of____ 1999 at  
Camp Crame, Quezon City, Philippines.

(Administrating Officer)
Republic of the Philippines
Department of the Interior and Local Government
HEADQUARTERS PNP NARCOTICS GROUP
Special Operations Division
Camp Crame, Quezon City

SODI

BOOKING AND INFO SHEET

DATE:-

(Last Name) (First Name) (MI)

ADDRESS:
PLACE AND DATE OF BIRTH:
ALIAS:
NATIONALITY:
TIME BOOK:
MARITAL STATUS:
OCCUPATION:
AGE:
SEX:
WEIGHT:
EDUC. ATTMT:
RES. CERT. NO./PLACE/DATE ISSUED:
SCARS AND MARKS:
OTHERS IDENTIFYING CHARACTERISTICS:
NAME & ADDRESS OF FATHER:
NAME & ADDRESS OF MOTHER:
NAME & ADDRESS OF NEAREST KIN:
OFFENSE CHARGE:_____________________________________________

(Name of the Case)

______________________________  _____________________________
(Where Arrested) (Date/Time Arrested)

NAME OF WITNESS:  
1. 
2. 

Signature of Arrested Person
Signature of Arresting Office

THUMB MARKS:

__________________________  _____________________________
Left hand Right hand

__________________________  _____________________________
Left Thumb Right Thumb

TIME BOOKED: BOOKED BY: ______________________

Signature of Arrested Person
GENERAL

A. References:

1. LOI 36/97 BANAT: (BARANGAY AGAINST NARCOTICS ABUSERS AND TRAFFICKERS)
2. SOP No. 14 GHQ PNP on 18 October 1991, Subject: Basic Guidelines in Criminal Investigation and Desired Qualifications for Investigators;
3. Revised Rules on Criminal Procedures
4. RA 6975 (PNP Law)
5. RA6425
6. RA 7438

B. Purpose

This SOP prescribes the basic guidelines and procedures in criminal investigation of violations of the provisions of Republic Act 6425, which every Narcotics Investigator should observe, to enhance his investigative proficiency in order to attain an effective, successful investigation and prosecution of drug cases.

The guidelines prescribed here shall apply to investigators of all violations of RA6425.

GLOSSARY

1. Custodial Investigation - is the investigation of a suspect or suspects arrested "in flagrante delicto" and taken into custody for the violation of RA 6425 for the purpose of questioning, documenting and collating all material and relevant pieces of evidence to the crime prior to the filing of the necessary charges in court.
   It concerns any questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprive of his freedom of action in any significant way. (Miranda vs. Arizona)

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

3. Search Warrant - is an order in writing issued in the name of the people of the Philippines, signed by a judge and directed to a peace officer, commanding him to search for personal property described therein and bring it before the court.

A. During Investigation

1. Once the suspect is arrested, book him immediately and advice him of his
constitutional rights. Take his sworn statement only if he is willing to give and with the assistance of his counsel of choice and any of his relatives, municipal mayor, judge, district school supervisor, or priest or minister of the gospel as chosen by him.

2. Have the suspect examined by a government physician immediately after arrest to show that he was not maltreated while under custody.

3. Observe the lawful period within which the suspects may be held pursuant to Article 125 of RTC as amended by Executive Order No. 272 S-1987, as follows:

   a. For offenses punishable by correctional penalties (arresto mayor - 1 month and 1 day to 6 months/prison correctional - 6 months and 1 day to 6 years) - eighteen (18) hours.

   b. For offenses punishable by afflictive penalties (prison mayor - 6 years and 1 day to 12 years or reclusion perpetua-life imprisonment) - thirty-six (36) hours.

4. Arresting officer/s shall execute an affidavit of arrest indicating therein the six (6) cardinal points to establish in investigate work, to wit:

   a. What - the specific offense committed, citing the provision of the law violated;

   b. How - the manner the offense was committed;
      Who - the person/s who committed it;
      Where - the place where the offense was committed;
      When - the date and time the offense was committed;
      Why - the motive in the commission of the offense especially if doubt exists as to the identity of the offender/s.

5. Take sworn statement of witnesses, if any, showing therein the facts, circumstances and other relevant information to the crime which he observed and witnessed.

6. Take fingerprints, handwritings and photographs of suspects.

7. Make an inventory of pieces of evidence seized with particular markings to the nature of the crime committed, state, time and place of commission and signed by the arresting officer/s, inventory personnel and/or the arrested persons.

8. Have scientific or laboratory examination of the pieces of evidence by duly authorized government agency to ascertain the truth respecting the fact of the evidence.

9. Prepare a spot report to Director, Narcotics Group, Attn: Chief, Operations Division.
10. Prepare a referral letter (Annex A), for crimes committed within the NCR, or a complaint sheet (Annex B), for crimes committed outside the NCR for the filing of the complaint with the Prosecutor's Office or Metropolitan or Municipal Trial Court/Provincial Prosecutor's Office, respectively; for inquest of the arrested persons with the attachments of evidentiary requirements listed in Annex C.

11. Bring the arrested person together with arresting officer/s, witnesses and pieces of evidence to the prosecutor's office or MTC for inquest. Let the inquest prosecutor or judge order the commitment of the arrested person/s to jail b indicating it on the referral letter or complaint sheet.

12. After inquest, prepare a letter to the Chief, SSO (for NCR units) or City/Municipal Jail (for outside NCR) for turn-over of the arrested persons to the Jail Warden for custody pending trial of the case attaching thereto a copy of the case disposition by the inquest Prosecutor/MTC Judge, Booking Sheet and Medical Examination Certificate of the suspect.

13. Thereafter, follow through all leads to determine complicity of others, identify and locate other suspects still not arrested.

B. After Investigation and Inquest

1. Submit the case folder with complete attachment of documents to Legal Office, Narcotics Group for reference and monitoring purposes.

2. Follow up final result of laboratory examination of evidence submitted to concerned government agencies for subsequent submission to the duly designated prosecutor r/MTC Judge of the case.

3. Coordinate closely with the prosecutor of the case for the speedy, effective and successful prosecution of the case in court.

4. Advise all apprehending officers and other prosecution witnesses to appear in court religiously whenever a hearing that requires their appearance thereto is set. For cases filed in the NCR, witnesses shall regularly confer with the legal officer before appearing in court or Prosecutor's office.

5. Turn over all pieces of evidence to the Evidence Custodian who shall ensure the prevention of the evidence in his care while the case is under trial, as well as his presence together with the evidence in the court when subpoenaed by the trial court.

6. Continually report of the progress of the trial in court shall be rendered to Legal Office, ANTI-NARCOTICS GROUP until the conclusion thereof by submitting after Court Duty Report/s to the Legal Office.
PROCEDURES IN THE CONDUCT OF SEARCH

1. Every search shall be conducted with the use of a Search Warrant validity issued by a competent court.

2. The search should be organized in such manner that each member of the searching party has a designation and clearly defined responsibility. The searching/ raiding party shall be organized as follows;

a. Team Leader - Commander of the raiding party and shall supervise the conduct of the search/raid.
b. Covering Party - provides security of the entering party and covers the entire area of building being searched.
c. Entering Party - enters the place to be searched and effects arrest of suspects and searches for evidence.
d. Recorder - records the conduct of the raid, gathers and inventories evidence.

3. Only designated members of the searching party shall enter the house or building to be searched while the designated perimeter security shall stay outside.

4. Before entry, the Search Warrant shall immediately be served by presenting a copy to the respondent or any responsible occupant of the place to be searched.

5. The search shall be conducted in the presence of at least two (2) witnesses, preferably Brgy. Officials, and the occupants of the house/place to be searched.

6. No civilian agents shall not be allowed to be a member of the entering/ searching party.

7. The search should be supervised by a Responsible Officer at all times.

8. Prior to the start of the search, coordination shall first be made with the nearest local police office to inform them of the search to be conducted.

9. The search should be done in an orderly manner and the rights of the person being searched should be respected at all times.

10. Forcible entry shall only be resorted to if all means for peaceful entry have been exhausted.

11. All recovered pieces of evidence should be properly inventoried and covered by receipts and signed by the witnesses before leaving the area where the search was conducted.
12. Only the area and items specified in the search warrant should be searched and seized, unless there are other items found wherein possession thereof is a clear violations of law.

13. Warrant less arrest should be resorted to if the following condition exists:

   a. A person lawfully arrested may be resorted to if bodily searched and those within his immediate premises under his control for dangerous weapons or anything which may be used as proof of the commission of an offense.
   b. When the person to be searched gives his consent.
   c. When the pieces of evidence to be seized are in plain view of an officer and such objects are per se subject to seizure.
   d. When the subject of the search is a vessel, an aircraft or a motor vehicle suspected to be carrying contraband.
   e. When search is made in enforcing the tariff and customs code of the Philippines (Sec 2703).
   f. When the search is being conducted in a check point validity put up.

14. After the conduct of search, with or without search warrant, all seized prohibited or regulated drugs shall be referred for laboratory examination to a duly authorized government agency to ascertain the truth respecting the fact of the evidence.

15. Prepare a referral letter (Annex A) or complaint (Annex B) with the attachments of evidentiary requirements listed in Annex C.

16. Bring the arrested persons together with the arresting officer/s and evidence to the Prosecutor's office or MTC for inquest. Ask the Prosecutor of Judge Order the commitment of the arrested persons to jail by indicating it on the referral letter or complaint.

17. After the inquest, turn-over the arrested persons to the Chief, SSO (for NCR units) or city/municipality jail (for units outside NCR) for turn-over of the arrested persons to the Jail Warden for custody pending trial of the case attaching thereto a copy of the case disposition by the Prosecutor or MTC Judge, booking sheet and medical certificate.

18. After investigation and inquest; follow the procedures in paragraph 111 B of this SOP.

**DISPOSITION OF EVIDENCE**

As a general rule, pieces of evidence which are the subjects, fruits or means used in the commission of a crime shall be disposed of in accordance with law or court order. Hereunder are some guidelines in the disposition thereof.

1. Vessels, vehicles and other means used in drug smuggling shall be turned-over to the Bureau of Customs for seizure proceedings after photographs have been taken thereof.
2. Firearms and ammunitions confiscated incidental to a lawful arrest for violation of RA 6425 shall be turned-over to the Evidence Custodian for safekeeping during the trial of the case in court. If a firearm was used in the perpetration of a crime, it shall be submitted to the Crime Laboratory for ballistics examination.

3. Explosives confiscated incidental to a lawful arrest for violation of RA 6425 shall be submitted to the PNPCLS for laboratory examination.

4. Conveyances, tools, instruments, implements and equipment used in violation of RA 6425 shall be kept by the evidence custodian for evidentiary purposes in court.

5. Stolen motor vehicles recovered incidental to a lawful arrest for violation of RA 6425 shall be reported to the PNPTMG for recording purposes and then turned-over to the Evidence Custodian for constructive control and custody, pending trial of the case in court. Release of such motor vehicles to the rightful owner shall only be affected on the basis of an order issued by the investigating Prosecutor or Court and after approval of the Director, NARGRP.

6. Drugs and sniffing paraphernalia recovered shall be referred to the PNPCLS or NB1 for laboratory examination.

7. Other tools, instruments or weapons used in violation of RA 6425 shall be kept by the evidence custodian pending trial of the criminal case in court.

8. Evidence arising from violation of RA 6425 and/or commission of other crimes shall be kept for evidentiary purpose or disposed depending upon its character and in accordance with a court order or existing laws governing the commission of the crime.

9. Pieces of evidence kept or submitted in court may be recommended to the court trying the case for confiscation and forfeiture in favor of the government and requested for use of the apprehending unit if they have valuable use for them by way of a motion, if legally tenable, and if trial of the criminal case results in the conviction of the accused.

10. Other pieces of evidence not specifically covered in this SOP shall be disposed of in accordance with the law, rules, and regulations governing them or as the court may direct.
The Honorable Secretary/City Prosecutor
(Attn: State/Inquest Prosecutor on Duty)

Sir:

Respectfully referred for inquest/appropriate action is a case of violation of Sec. 8, Art. II in relation to Sec. 8 (I), Art. I of RA 6425 committed on or about January 24, 1994 at 10:00 o’clock in the morning at New York St., Cubao, Quezon City.

SUSPECTS:

1. (state name, personal circumstances and address of suspects)
2. _________________________________

WITNESSES: (State name of witnesses and their addresses)

1.
2.

EVIDENCE:

1.
2.

FACTS OF THE CASE:

Brief summary of facts and circumstances of the case stating the answers to the 5Ws and 1 H.

This case will be presented to your office by (Investigator-on-case).

Very truly yours,
Republic of the Philippines
MUNICIPAL TRIAL COURT
Third Judicial Region
Branch______, Orion, Bataan

PEOPLE OF THE PHILIPPINES CRIM. CASE No._______
Plaintiff, - versus - For: Violation of Sec. 8, Art. II
JUAN DELA CRUZ in relation to Sec. 2 (I)
10 Mariano St., Orion, Bataan Art. 1 ofRA 6425.
Accused.
X_________________________________________X

COMPLAINT

The undersigned accuses JUAN DELA CRUZ of a violation of Sec. 8,
Art. II, in relation to Sec. 2 (I), Art. 1 of RA 6425, committed as follows:

That on or about January 24, 1994, in the Municipality of Orion,
Province of Bataan and within the jurisdiction of the Honorable Court, the said
accused, without being authorized by law to possess or use, did then there
willfully, unlawfully and knowingly have in his possession and under his
control fifty (50) grams of marijuana, which is a prohibited drug.

Contrary to law.


(Name of Team Leader)

SUBSCRIBED AND SWORN to before me this__day of January 1994
in Orion, Bataan.

(Administering Officer)
ANTI-DRUG OPERATIONAL PROCEDURES

I. REFERENCES:
   a. HPNP Ltr Dir dtd 14 Jan 93 on Rules of Engagement;
   b. RA 6425, as amended by PD 1619 and RA 7659
   c. RA7438
   d. Revised Rules of Court
   e. HNG Ltr Dir dtd 13 Jul 93 on Anti Drug Abuse Rules of Engagement
   f. SOP on Basic Guidelines in Narcotics Investigation dtd 17 January 1994

II. PURPOSE

This SOP prescribes the New Rules of Engagement in the conduct of anti-drug operations for the strict observance of Narcotics Group and other PNP Units in the enforcement of RA 6425, as amended, and other drug related laws.

III. RATIONALE

The current realities of the national drug problem has assumed epidemic proportion despite decisive efforts by this Group to fight it. The low conviction rate on cases filed before the various courts in the country is attributable to flaws in the conduct of operations and performance in court of police witnesses. The need for changes to redirect our efforts by focusing on details rather than generalities in the conduct of anti-drug abuse operations is therefore a pressing mandate.

There are PNP personnel involved in anti-drug abuse operations who possess only few of the basics and without any specialized training on dangerous drugs, RA 6425 and criminal procedures. This lack of a working knowledge sometimes results in procedural errors and operational oversights which cause undue embarrassments, unnecessary legal counteraction and even unexpected resolution of cases filed. Quite imperatively, the operationalization of efficient uniform procedures pertaining to each and every aspect of the operation must be institutionalized.

IV. GENERAL RULE

A. This policy covers the procedures in the following stages of operations:

1. Planning and Preparation
2. Conduct of Operation
3. Post Operation
   Tactical Interrogation/Follow-Up Operation
   Custodial Investigation
   Prosecution of the Case
   Trial of the Case
   Resolution of the Case
B. Anti-drug abuse operations shall be primarily conducted by means of buy-bust, search with warrant, mobile check point operation and airport/seaport interdiction. The conduct of search without warrant may be availed of in case of hot pursuit or urgent follow-up operation where the conduct of buy-bust or the application of search warrant will compromise or defeat the operation in accordance with the following circumstances:

1. When the search is incidental to a lawful arrest. This is limited to the search of the person lawfully arrested and in the area within which the arrested person can reach for a weapon or for evidence to destroy it;

2. When the search is with the consent of the person to be searched;

3. When the pieces of evidence to be seized are in plain view of the seizing officer who has the right to be in the place to have that view; and

4. When it is a search of motor vehicle (during checkpoint operations) where it is not practicable to secure a warrant but search shall be limited to evidence in plain view;

5. When the purpose of the search is to enforce customs and tariff laws (airport and seaport interdiction).

C. The suitability of all personnel for deployment must pass the test for capability and proper placement in assigned tasks. Informal instructions and/or specialized training must be a continuing program until every personnel becomes effective on the job.

D. The applicable provisions of GHQ, PNP Letter Directive change on Rules of Engagement shall be complied with in the conduct of all anti-drug operations.

V. SPECIFIC RULES

A. Planning and Preparation:

1. Intelligence Production and Dissemination

a. Intelligence produced by ID and/or by the unit through its personnel and other sources must be documented by reliable reports, such as, Summaries of Information including maps and sketches. Intelligence operations must be covered by Pre-operations Orders and subsequently documented by appropriate report, such as, After Surveillance and After Casing Reports with corresponding annexes, such as maps, sketches, photographs and tapes, background investigation/records checks reports and other relevant after-operation reports. The intelligence operative/agent concerned must keep and preserve notes to record any valuable information he gathers. These documents are necessary to strengthen the credibility of the arresting officers in court and during the trial as these are proof that sufficient information
regarding the suspect and his activities were gathered and documented prior to his arrest.

b. Other information received through walk-in informers/witnesses/ telephone callers and public complaints must be properly recorded in the units logbook, verified or referred to intelligence for decisive analysis and proper and timely disposition/dissemination.

c. Dissemination of intelligence data must be timely and on need-to-know basis.

2. After identifying the suspect/s, determining their movements and activities, and establishing their locations, the following must be prepared/undertaken:

a. Buy-Bust Operations

1. Pre-operation Order indicating the name of the suspect/s, address and area of operations, description and quantity of drugs subject of the offense and the team leader and members of operating team/s, signed by the Chief of Unit/Office or his duly authorized subordinate officer.

2. The poseur-buyer and the buy-bust money and request for dusting (ultraviolet powder) if necessary. The buy-bust money shall be covered by a receipt indicating therein the denominations and respective serial numbers of the genuine bills received. (If dusting is necessary, the poseur-buyer must be the one to deliver the buy-bust money to the PNP CLG for dusting together with appropriate request);

3. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence;

4. Vehicles, communications-electronics equipment, camera, weighing scale, indelible marking pens, firearms and other appropriate equipment/gadgets.

b. Search with Warrant

1. Test buy on suspect;
2. Request for laboratory exam of stuff obtained in the test test-buy;
3. Result of Laboratory Examination;
4. Application form duly accomplished by the team leader and recommended by the Chief, Unit/Office or by DNG for Narcotics Group units within NCR;
5. Deposition of two (2) witnesses;
6. Duly issued Search Warrant by the Court;
7. Receipts for property seized;
8. Certificate of Orderly Search;
9. Drug Weighing Report;
10. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence;
11. Vehicles, commeql equipment, camera, weighing scale, marking pens, F/As and other appropriate equipment/ gadgets.
c. Mobile Check Point Operations

1. Intelligence files/documents against the suspects and target vehicles;
2. Check-point signs, vehicles commel equipment, camera, weighing scale, indelible marking pens, F/As and other appropriate equipment gadgets;
3. Handcuffs, ropes and other gadgets to secure the suspect/s and bags/containers to secure and preserve the evidence.
4. Covert spotters
5. Receipt of property seized
6. Certificate of Orderly Search
7. Drug Weighing Report

d. Airport and Seaport Interdiction

1. Vehicles, commel equipment, camera, weighing scale, marking pens, F/As and other appropriate equipment/gadgets; and
2. Handcuffs, ropes, and other gadgets to secure the suspect/s and bags/containers to secure preserve the evidence.
3. Receipt for property seized
4. Certificate of Orderly Search, if search is conducted on vessels/planes;
5. Drug Weighing Report

3. In all cases, a tactical briefing shall be conducted by the team leader (Officer) with all the members of the team present with the critical observation of the Chief, Unit/Office or his duly authorized subordinate Officer, which must clearly present the following:
   a. Details on the identity of the suspect/s, the area of operations and the items to be seized;
   b. Designation of tasks of each member and their respective groupings as applicable, which shall include the support services (drivers, signal personnel and spotters), intelligence/arresting, entering/raiding, security/back-up, search investigation, evidence custodian, photographer, recorder and perimeter security group;
   c. Firepower, mobility and communications capability; and
   d. Movement plan, convoy arrangement and area deployment.
4. Before jump-off, rehearsal as practicable maybe conducted. Also, formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted.

B. Conduct of Operation: (As far as practicable, all operations must be officer led)

1. Buy-Bust Operation - in the conduct of buy-bust operation, the following are the procedures to be observed:
   a. Record time of jump-off in unit’s logbook;
   b. Alertness and security shall at all times be observed:
   c. Actual and timely coordination with the nearest PNP territorial units must be made;
   d. Area security and dragnet or pursuit operation must be provided:
   e. Use of necessary and reasonable force only in case of suspect’s resistance:
f. If buy-bust money is dusted with ultra violet powder make sure that suspect gel hold of the same and his palm/s contaminated with the powder before giving the pre-arranged signal and arresting the suspects;
g. In pre positioning of the team members, the designated arresting elements must clearly and actually observe the negotiation/transaction between suspect and the poseur-buyer;
h. Arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which maybe concealed in his body, vehicle or in a place within arms reach;
i. After lawful arrest, search the body and vehicle, if any, of the suspect for other concealed evidence or deadly weapon; Appraise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs; Take actual inventory of the seized evidence by means of weighing and/ or physical counting, as the case may be: Prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof;
m. The seizing officer (normally the poseur-buyer) and the evidence custodian must mark the evidence with their initials and also indicate the date, time and place the evidence was confiscated/seized;
n. Take photographs of the evidence while in the process of taking the inventory, especially during weighing, and if possible under existing conditions, the registered weight of the evidence on the scale must be focused by the camera; and
o. Only the evidence custodian shall secure and preserve the evidence in an evidence bag or in appropriate container and thereafter deliver the same to the PNP CLG for laboratory examination.

2. Service of Search Warrant - the following are the procedures in effecting the service of search warrant:
a. Record time of jump-off in units logbook;
b. Alertness and security shall at all times be observed;
c. Actual and timely coordination with the nearest PNP territorial units must be made;
d. Area security and dragnet or pursuit operation must be provided;
e. No civilian agent must be allowed to be a member of the searching party;
f. Instant area observation must be made by the team leader before giving notice of his purpose and authority to the owner/ lawful occupant of the residence /building /facility premises to be searched in the presence of at least two (2) witnesses preferably Barangay Officials or responsible persons in the area. If refused admittance, a door or window may be broken to effect entry and search. In no case shall search be made without the presence of two (2) witnesses;
g. The perimeter security group must be pre-positions to cover all exit/ entry points before the entering raiding group with the back-up security enter the premises. In case of resistance, the entering raiding group shall decisively subdue the suspect/s with the use of necessary and reasonable force only;
h. Before entry, the Search Warrant shall be served by having a copy received by the respondent or any responsible occupant of the place to be searched;
1) In all cases, the search must be witnessed by the owner/occupant and in the presence of at least two (2) responsible persons in the vicinity, preferably two (2) barangay/town officials;
2) Only those personal property particularly described in the search warrant shall be seized to wit:
   a. subject matter of the offense;
   b. stolen or embezzled and other proceeds of fruits of the offense;
   c. used or intended to be used in the commission of an offense;
   d. objects which are illegal per se, e.g. F/As and explosives; and
   e. those that may be used as proof of the commission of the offense.
   i. If the house or building to be searched has two or more rooms or enclosures, each rooms or enclosures must be searched one at a time in the presence of the occupants and two (2) witnesses;
   j. The search group and evidence custodian, supervised by the team leader, shall take actual physical inventory of the evidence seized by weighing or counting, as the case may be, in the presence of the witnesses to include the suspect who must be placed under arrest upon discovery of any of the items described in the search warrant.
   k. The duly designated searching element who found and seized the evidence must mark the same with his initials and also indicate the time, date and place where said evidence was found and seized and thereafter turn it over to the duly designated evidence custodian who shall also mark the evidence and indicate the time, date and place he received such evidence;

   1. Take photographs of the evidence upon discovery without moving or altering its position in the place where it is placed, kept or hidden;
   m. Weigh the evidence seized in the presence of the occupants and witnesses and prepare the drug weighing report to be signed by the arresting officers, evidence custodian, occupants and witnesses. Again, take photographs of the evidence while in the process of inventory and weighing with the registered weight in the weighing scale focused by the camera;
   n. Prepare a receipt and drug weighing report based on the actual physical inventory and weighing of the evidence found and seized and furnished the owner/possessor copies thereof or in his absence the occupant the premises and to the two (2) other witnesses in the conduct of search;
   o. Require the owner or occupant of the premises and the two (2) witnesses 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 nothing was taken except those mentioned in the search warrant;
   p. Only the duly designated evidence custodian shall secure and preserve the evidence in an evidence bag or appropriate container and thereafter ensure its immediate presentation before the court that issued the search warrant;

   The applicant shall cause the return of the search warrant (inc) together with the receipt of the seized evidence immediately after service of the warrant with player to the court that the evidence would be forwarded to PNP CLG for laboratory examination;
   r. Upon completion of search, seizure and arrest and unless the tactical interrogation of the suspect on the scene shall lead to a follow-up operation, the team leader shall consolidate his forces to see to it that no ransacking or looting or destruction of property is committed;
   s. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

3. Conduct of Checkpoint Operations
a. Motor Vehicle Interdiction - the following are procedures to be observed:
1. Record time of jump-off in unit logbook:
2. Alertness and security shall at all times be observed:
3. Actual and timely coordination with the PNP territorial unit must be made;
4. Organization of forces shall be composed of: perimeter security group, intelligence/spotter group, interdiction group, back-up/ security group, motorized pursuit group, inspection/evidence custodian group and the evacuation group;
5. All vehicle inspection and person frisking should be conducted with utmost courtesy and without inconveniencing the public and unduly disturbing the orderly traffic flow:
6. Only illegal items that are in plain view shall be subject of confiscation. No search of vehicle and occupants thereof shall be conducted unless evidence in plain view is found therein;
7. All seized items shall be properly covered with receipt bearing the signature of the possessor, seizing element and evidence custodian:
8. The seizing element and the evidence custodian shall mark (he items seized with their initials, time, date and place of seizure;
9. Based on additional and contingent intelligence, the operation may be transferred to another area in pursuance of its objectives; and, 10. The team leader shall consolidate his forces and return to unit headquarters upon completion of the mission which should not exceed 24 hours.
b. Airport and Seaport Interdiction - the following are procedures to be observed when Bureau of Customs or other government agencies at the airport/seaport turn over to Anti-Narcotics Group drugs cases arising from discovery upon inspections;

1. Place the person under arrest and appraise him of his constitutional rights;
2. Take actual physical inventory of the evidence by weighing or physical counting in the presence of the authorized person who discovered the same, the suspect and other responsible persons;
3. Take photographs of the evidence while taking inventory especially when weighing and making sure that the registered weight in the scale is focused by the camera;
4. The duly designated evidence custodian shall mark the evidence with his initials and indicate the time, date and place he received said evidence and thereafter secure the same in a suitable evidence bag or container;
5. The duly designated evidence custodian shall issue a receipt based on the actual physical inventory of the evidence confiscated for issuance to the person who turned over the same;
6. The investigator shall take the sworn statement of the authorized person who discovered and seized the evidence and all possible witnesses to the discovery and seizure of said evidence;
7. Conduct tactical interrogation on suspect for possible follow-up operation and intelligence consumption only and not for evidentiary purposes unless the interrogation is taken in the presence of his counsel.

C. Tactical Interrogation Follow-Up Operation
1) Conduct tactical interrogation on suspects at the scene, during transit to and at the unit headquarters for purposes of possible follow-up operations and intelligence consumption and not for evidentiary purposes;
2) Conduct follow-up operation as far as practicable by applying the same aforesaid procedures of buy-bust, service of search warrant, vehicle interdiction and airport/seaport interdiction.

D. Post Operation
1. Upon arrival at unit headquarters, tactical interrogation shall continue, both for follow-up operation and intelligence consumption only.
2. A spot report shall be prepared and submitted immediately upon arrival at unit headquarters to be followed by an After Operation Report to be submitted To D,ANG (Attn: CDS) copy furnished D,NG, DD.NG, CDS, CL1D NLT 24 hours upon arrival at the unit headquarters;
3. Arrested suspect must be segregated for the conduct of custodial investigation and only investigators, relatives, and lawyers of the suspects will be allowed to access to them. A medical examination of the arrested persons must be undertaken within 24 hours after arrival at unit headquarters in coordination with PNP General Hospital or any government hospital;
4. Seized and confiscated evidence must be brought immediately to the PNP CLG or NBI for laboratory examination by the team leader and the duly designated evidence custodian;
5. Suspects arrested in a buy-bust operation whose hands were contaminated with the use of dusted marked money shall not be allowed to wash their hands nor fingerprinted upon arrival at unit headquarters but shall immediately brought to the PNP CLG or NBI together with confiscated evidence and marked money for laboratory examination and drug test;
6. After the laboratory examination, the arrested persons shall be booked and fingerprinted.

E. Custodial Investigation
The provisions of RA 7438 must be observed at all times in the conduct of custodial investigation where the counsel must present and must completed within the reglamentary period prescribed in Art. 125 of the Revised Penal Code, as amended, and in accordance with the pertinent provisions of RA 7659 which further amended RA 6426. The following table shall be strictly observed in the conduct of custodial investigation and filing of cases:

<table>
<thead>
<tr>
<th>TYPE OF DRUG</th>
<th>PENALTY</th>
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<tbody>
<tr>
<td></td>
<td>6 Mos+ 1 Day</td>
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<tr>
<td></td>
<td>6 Yrs 6 Yrs +1day</td>
</tr>
<tr>
<td></td>
<td>12 Yrs 12 Yrs+1Day</td>
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<td>20 Yrs 20 Yrs+2Day</td>
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<tr>
<td>1. Opium, Morphine,</td>
<td>6 Mos+ 1 Day</td>
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<tr>
<td>Heroin Cocaine Or</td>
<td>6 Yrs 6 Yrs +1day</td>
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<tr>
<td>Cocaine Hydrochloride</td>
<td>12 Yrs 12 Yrs+1Day</td>
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<tr>
<td>Or More</td>
<td>20 Yrs 20 Yrs+2Day</td>
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<td>2. Shabu</td>
<td>6 Mos+ 1 Day</td>
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<tr>
<td>66.7 Gms Or Less</td>
<td>6 Yrs 6 Yrs +1day</td>
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<tr>
<td>66.8-135.3 Gms</td>
<td>12 Yrs 12 Yrs+1Day</td>
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<td>135.4-199.9 Gms</td>
<td>20 Yrs 20 Yrs+2Day</td>
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<td>4. Marijuana Resin Or</td>
<td>6 Mos+ 1 Day</td>
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<tr>
<td>Marijuana Resin Oil</td>
<td>6 Yrs 6 Yrs +1day</td>
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<tr>
<td>33.4-49.9 Gms</td>
<td>12 Yrs 12 Yrs+1Day</td>
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<tr>
<td>50 Gms Or More</td>
<td>20 Yrs 20 Yrs+2Day</td>
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<td></td>
<td>Lawful Detention Period Under Art 125 RPC</td>
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<tr>
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<td>18 Hrs 36 Hrs</td>
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<td>36 Hrs 36 Hrs</td>
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<td>36 Hrs 36 Hrs</td>
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</tbody>
</table>
F. Prosecution of the Case

1. Within the reglamentary period as shown above, the case must be filed before the Prosecutor's Office or the Municipal Trial Court in the provinces/towns for inquest proceedings. This shall be attended by the team leader, arresting elements, evidence custodian, poseur-buyer, others who executed affidavits and arrested persons. The following are the requisite documents in filing the case:
   a. Buy-bust Operation
      1. Letter referral addressed to the City/Provincial Prosecutor or complaint filed with MTC/MCTC;
      2. Joint Affidavit of Arrest;
      3. Affidavit of Poseur-Buyer;
      4. Affidavit of Evidence Custodian. It shall allege that he is the duly designated evidence custodian of the team; that he received the evidence from the seizing element/poseur-buyer specifying the description of the drug and its quantity; the time, date and place where he received the same; that he issued a receipt therefor upon turn-over to him; that while in his custody there was no destruction, loss, substitution or alteration of the evidence: and that he personally delivered (he same to the PNP CLG or NBI for laboratory examination with appropriate letter request;
      5. Letter request for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;
      6. Letter request for ultra-violet powder dusting of marked money;
      7. Receipt of the evidence/confiscated;
      8. Buy-bust money;
      9. Drug weighing report;
     10. Booking Sheet and Arrest Report
     11. Photographs, sketches, maps, etc.
     12. Letter-request for drug test and corresponding result, if any;
     13. Other documents of evidentiary value.
   b. Service of Search Warrant
      1. Letter referral to the City/Provincial Prosecutor or complaint to be filed with MTC/MCTC in the province/town;
      2. Joint Affidavit of arrest;
      3. Copy of return of Search Warrant;
      4. Copy of Search Warrant;
      5. Affidavit of Evidence Custodian;
      6. Letter-request for laboratory examination and corresponding result thereof;
      7. Receipt for property seized;
      8. Certificate of Orderly Search;
      9. Drug Weighing Report;
10. Letter request for drug test and corresponding result thereof, if any;
11. Photographed, sketches, maps, etc.
12. Booking Sheet and Arrest Report;
13. Others of evidentiary value.

c. Interdictions
1. Motor Vehicle Interdiction
   a. Letter - referral to the City/Provincial Prosecutor or complaint
to be filed with the MT./MATCH in the province/town;
   b. Joint Affidavit of Arrest;
   c. Affidavit of Evidence Custodian;
   d. Intelligence of evidentiary value;
   e. Letter - request for laboratory examination and corresponding
result thereof;
   f. Receipt for Property seized;
   g. Drug weighing report;
   h. Letter - request for drug test with corresponding result, if any;
   i. Booking Sheet and Arrest Report;
   j. Photographs, sketches, maps, etc.
   k. Others of evidentiary value.
2. Airport/Seaport Interdiction
   a. Letter - referral to City/Provincial Prosecutor or complaint to
be filed with MTC/MCTC in the province/town;
   b. Joint Affidavit of arrest;
   c. Affidavit of Evidence Custodian
   d. Affidavit of airport/seaport personnel who seized the evidence;
   e. Receipt of property seized;
   f. Drug weighing report;
   g. Letter - request for laboratory examination and corresponding
result;
   h. Letter - request for drug test with corresponding result, if any;
   i. Photographs;
   j. Intelligence documents of evidentiary value;
   k. Booking Sheet and Arrest Report;

1. Other of evidentiary value.
2. If preliminary investigation is requested by the arrested person, all
personnel
duly notified to appear in the proceedings before the Prosecutor's Office must
be
religiously attend with prior preparation by diligently reviewing the case
records.
All notices/subpoenas/processes shall be recorded the OCLIS for units within
Metro
Manila and by the Chief, Unit Investigation Section' in the field. All procedural
requirements in the proceedings must be promptly complied with.
3. In the provinces/towns where there are no inquest prosecutors available,
filing of the case maybe made before the MTC/MCTC where the presiding
judge
thereof may conduct the inquest proceedings or investigation and issues
warrant
of arrest and commitment order.
4. After inquest, turn over the living person of arrested person to the city/municipal jail with the corresponding commitment order of the inquest prosecutor/judge.
5. All evidences seized during the operation shall be turned over/referred to the appropriate government agency for the custody/examination. In no case shall evidence be retained and kept by the arresting unit.
6. Motor vehicle shall be released to the lawful owner/claimant upon presentation of proof of ownership and after approval by the prosecutor or court.
   Release shall be properly documented with Technical Inspection Report and receipt by the claimant. Should there be no claimant of the motor vehicle, it shall be turned over to the PNP TMG with proper documentation.

G. Trial of the Case
1. All personnel duly notified to appear before the court to testify in the trial of the case shall religiously attend to and shall submit their court duty schedules and after court duty report to OCLIS for recording and monitoring purposes;
2. All duly issued court processes must be properly complied with and returned by concerned personnel;
3. All units shall maintain and display in conspicuous places the respective court duty schedule of their personnel. Units Chief's shall be primarily responsible for the appearance of their respective personnel in court;
4. A monthly report of cases status shall be submitted by all units to OCLIS NLT 1st day of the following month for record and monitoring purposes;
5. A record of case - tracking of cases shall be maintained by OCLIS and by respective Investigation Section of the units which shall be the basis of OCLIS for the submission of consolidated Monthly Report to D,NG, OCIS and OCOD NLT 5th day of the following month:

6. All units shall submit records of cases to include court processes pertinent thereto to OCLIS for record and evaluation purposes.

H. Resolution of the Case

1. CLIS and respective Chief of units shall be primarily responsible for the monitoring/submission of report regarding resolution of cases. Copies of Prosecutor's or court's resolution/decision of cases shall be submitted to OCLIS for record and evaluation purposes;

2. Personnel responsible for the conviction of big drug offenders considered in the Watch List after a full blown trial shall be accorded the appropriate award;
3. Personnel who are found to have caused the dismissal of cases or acquittal of accused due to their obvious deliberate failure to testify in court, neglect in their court duty or some other acts or misconduct resulting in the loss of the case, shall be accordingly answerable for it together with the unit Chief;

4. Any apparent or noticeable irregularity during the conduct of the investigation by the prosecutor or hearing of the court shall at once be acted upon by the unit's Chief, either by calling the attention of the Prosecutor or Judge or reporting it in writing with corresponding documents to D,ANG;

5. Chief, PIO shall cause the dissemination through the tri-media of any resolved cases which is worthy of public information and of upgrading PNP credibility.

VI. COORDINATING INSTRUCTIONS

A. The following HQs, ANG issuances shall be applicable in the implementation of this SOP;

1. Letter Directive on 14 June 1993, Creation and Operation of PNP NARGROUP Personnel Suitability Committee, which will determine the fitness of every personnel to perform his assigned tasks in the operation.

2. Letter Directive on Custody of Detainees, which provides, among others, that all detained persons must be covered by a Commitment Order or Warrant of Arrest after the reglamentary period of 18 and 36 hours for custodial investigation, otherwise they have to be released in the absence of any ground to detain them further.

3. Letter Directive on 14 June 1993, Custody of confiscated/Seized items, which provides, among others, that those constituting as evidence shall be properly marked and preserved while those not shall be returned the lawful owner/possessor NLT 24 hours from the completion of Investigation Report, covered by proper receipt.

4. Letter Directive on 21 June 1993, Utilization of Civilian Agents, which is limited to intelligence production and support services only.


6. Letter Directive on 22 June 1993, Handling of Operations Oversights, which will lead to the conduct of a fact finding inquiry on all complaints/allegations of irregularities in the conduct of operation.

7. Letter Directive on 23 June 1993, Court Appearances NARCOM Personnel, which is an official duty.
B. The conduct of any anti-drug abuse operation should not unduly inconvenience the public nor cruelly treat the suspects.

C. Humane treatment of arrested suspects must be observed at all times. 
D. Conduct of debriefing/critique shall pinpoint areas for improvement and shall record lessons for retraining/relearning.

This SOP is Effective 01 September 1997.

NEW NARCOTICS RULES OF ENGAGEMENT

I. REFERENCES:
   b. Republic Act No. 6425, as amended by PD 1619 and RA 7659
   c. Republic Act No. 7438
   d. Revised Rules of Court
   f. Headquarters NARCOM SOP No. 1 on Basic guidelines in Narcotics Investigation dated 17 January 1994

II. PURPOSE:

   This SOP prescribes the New Rules of Engagement in the conduct of anti-narcotics operation for the strict implementation by NARGROUP and other PNP Units in the enforcement of RA 6425, as amended, and other drug related laws.

III. SITUATION:

   Current developments of drug problem in the country necessitate the reassessment of existing policies and techniques to keep abreast of the prevailing methods employed by drug syndicated in pursuing their illicit trade. The wonders of technology have become more accessible to drug traffickers using their wealth derived from drug proceeds against the limited resources of law enforcers who must contend with whatever means are available to them.

   Compounding law enforcers limited technical resources is the police state of competence in enforcing the drug law and in dealing with drug offense which has a peculiarity distinct from other crimes. Very few police are knowledgeable and have specialized training in the basics of dangerous drug laws, criminal procedure and rules of evidence which are very important weapon law enforcers must possess in fighting drug abuse. Added to this is the seeming weakness of the law and the perceived distrustful tendency of the courts over police credibility which diminishes the success of drug cases in court. Due to such tendencies, drug offenders have found the situation favorable to them and learned to seek the courts, public venues and other for
a to air their complaints against the police by distorting facts to turn the tide in their favor.

Drug enforcement experience had seen basic problems that greatly affected the prosecution of drug cases in court. These problems include technical irregularities in effecting arrest of drug offenders, improper handling of evidence, poor documentation of cases, inadequate knowledge of drug laws, incompetence of some drug law enforcer, inadequate preparation of police witnesses before testifying in court, inconsistencies of police testimony in court, insufficiency of evidence and many others. These legal deficiencies have undue embarrassment, unnecessary legal counteractions and unfavorable resolution of cases which created bad image of the police.

The institutionalization of an efficient standard procedure in every aspect of anti-narcotics operation is therefore imperative. It is for this reason that a reinvigorating policy on Anti-Narcotics Rules of Engagement covering different stages of operations aimed at strengthening the reinvented on enforcement, is formulated as a new and more effective tool in curving drug abuse.

IV. PROBLEM:

The low conviction rate on cases filed before the various courts in the country may be attributable to flaws in the conduct of operations and performance in court of police witnesses. There are PNP personnel involved in anti-drug abuse operations who do not possess any specialized training on dangerous drugs, drugs laws, rules of evidence and criminal procedure. This lack of working knowledge sometimes results in procedural errors and operational oversights which cause undue embarrassment, unnecessary legal counter-action and even unexpected adverse resolution of cases filed.

V. RATIONALE:

Quite imperatively, the operationalization of efficient uniform procedures pertaining to each and every aspect of the operation must be institutionalized. The need for changes to redirect our efforts by focusing on details rather than on generalities in the conduct of anti-drug abuses is therefore a pressing mandate.

VI. GENERAL RULES:

A. This policy covers the procedures in the following anti-narcotics operations:

1. Buy-bust
2. Search with Warrant
3. Marijuana Eradication
4. Mobile Checkpoint Operation
5. Airport/Seaport Interdiction
6. Controlled Delivery
7. Undercover Operation
8. Narcotics Investigation
B. In every anti-narcotics operation, the following stages of operations shall be observed, followed and executed:

PHASE I:

1. Planning and Preparation
2. Conduct of Operation

PHASE II:

1. Tactical Interrogation/Follow-up operation
2. Post Operation
3. Custodial Investigation
4. Prosecution
5. Trial
6. Resolution

C. Generally, lawful arrest shall only be effected with the use of Warrant of Arrest duly issued by a competent court, except as provided in Section 5, Rule 113 of the Revised Rules on Criminal Procedure, as follows:

1. When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense;
2. When an offense has in fact just been committed, and he has personal knowledge of facts indicating that the person to be arrested has committed it; and
3. When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgment or temporarily confined while his case is pending, or has escaped while being transferred from one confinement to another.

Warrantless arrest may also be validly made under the following circumstances:

1. If a person lawfully arrested escapes or is rescued, any person may immediately pursue or retake him without a warrant at anytime and in any place within the Philippines. (Section 13 Rule 113 of the Revised Rules on Criminal Procedure)

2. For the purpose of surrendering the accused, the bondsmen may arrest him or on written authority endorsed on a certified copy of the undertaking may caused him to be arrested by any police officer or any person of suitable age and discretion, (thirst paragraph. Section 20, Rule 1 14 of the Revised Rules on Criminal Procedure)

3. An accused released on bail may be re-arrested without necessity of a warrant if he attempts to depart from the Philippines without prior permission of the court where the case is pending (Second paragraph, Section 20, Rule 1 14 of the Revised Rules on Criminal procedure)
D. As a matter of policy, no search shall be conducted without a warrant.

The constitutional rights of the people under Section 2, Article III of the Constitution shall at all times be respected which provides, "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures of whatever nature shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce and particularly describing the place to be searched and the persons or things to be seized".

However, the conduct of search without warrant may be availed of in case of hot pursuit or urgent follow-up operation where the conduct of buy-bust or the application of search warrant will compromise or defeat the operation in accordance with the following circumstances:

1. When the search is incidental to a lawful arrest. (Section 12, Rule 126 of the Revised Rules on Criminal Procedure. This is limited to the search of the person lawfully arrested and in the area within which the arrested person can reach for the weapon or for evidence to destroy it;

2. When the search is with the consent of the person to be searched;

3. When the evidence to be seized are in plain view of the seizing officer who has the right to be in the place to have that view; and

4. When it is a search of motor vehicle (during checkpoint operations) where it is not practicable to secure a warrant but search shall be limited to evidence in plain view;

5. When the purpose of the search is to enforce customs and tariff laws (airport and seaport interdiction).

E. The suitability of all personnel for deployment must pass the test for the capability and proper placement in assigned tasks. Informal instructions and/or specialized training must be a continuing program until every becomes effective on the job.

F. The applicable provisions of GHQ, PNP Letter directive dated 14 January 1993 on Rules of engagement shall be complied within the conduct of all anti-drug abuse operations.

VII. SPECIFIC RULES:

BUY-BUST OPERATION

1. Planning and Preparation:
a. The operation must be proceeded by an intensive intelligence gathering, evaluation and timely dissemination. Intelligence must be evidence-based and shall be supported by documents such as Summaries of Information, Maps, Sketches, Affidavits and Sworn Statements;
b. Intelligence operations must be covered by Pre-operations Orders and subsequently documented by appropriate reports, such as After- Surveillance and After Casing Reports with corresponding annexes, such as maps, sketches, photographs and tapes, background investigation/ record checks reports and other relevant after-operation reports.
c. The intelligence operative/agent concerned must keep and preserved noted to record any valuable information he gathers. These documents are necessary to strengthen the credibility of the arresting officers in court and during the trial as these are proof that sufficient information regarding the suspect and his activities were gathered and documented prior to his arrest.
d. Other information received through walk-informers/witnesses/telephone callers and public complaints must be properly recorded in the unit's logbook, verified or referred to intelligence for decisive analysis and proper and timely disposition/dissemination.
e. Dissemination of intelligence data must be timely and on need-to-know basis.
f. After identifying the suspect/s, determining his/their movements and activities, and establishing his/their locations, the Chief of Unit/Office or his duly authorized subordinate officer shall issue a pre-operations Order indicating the name of suspect/s, address and area of operations, description and quantity of drugs subject of the offense and the team leader and members of operating team/s;
g. A poseur-buyer shall be designated and buy-bust money duly marked or dusted with ultra-violet powder by requesting the PNP Crime Laboratory group (CLG) or other authorized government agency shall be prepared. The buy-bust money shall be properly recorded in the unit blotter/logbook indicating therein the denominations, serial numbers, date/time/place of entry, person who made the entry and person who delivered the same the PNP CLG or other authorized government agency.

The following equipment shall also be prepared:

1. Handcuffs, ropes and other gadgets to secure the suspects/s and bags/ containers to secure and preserve the evidence;
2. Vehicles, COMMEL equipment, camera, weighing scale, indelible marking pens, firearms and other appropriate equipment/gadgets.

2. **Conduct of Operation**

a. Before jump-off, rehearsal must be conducted as may be practicable. Formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall also be conducted;
b. The time of jump-off must be recorded in the units blotter/logbook;
c. Alertness and security shall at all times be observed;
d. Actual and timely coordination with the nearest PNP territorial unit must be made;
e. Area security and dragnet or pursuit operation must be provided;
f. If buy-bust money is dusted with ultra-violet powder, operating elements ensure that the suspect gets hold of the same and his palm/s contaminated with the powder before giving pre-arrange signal and arresting the suspects;
g. In pre-positioning of the team members, the designated arresting elements must clearly and actually observe the negotiation/transaction between the suspect and the poseur-buyer;
h. The arresting team or poseur-buyer, if possible shall arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which may be concealed in his body, vehicle or in a place within arms reach;
i. Use of necessary and reasonable force must be resorted to only in case of suspect's resistance;
j. After lawful arrest, the arresting element shall search the body and vehicle, if any of the suspect for the recovery of the buy-bust money, other concealed evidence or deadly weapon;
k. The arresting element shall appraise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows:

"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 counsel, you will be provided one".

"Pinapaalalahanan ka namin na ikaw ay may karapatang magsawalang- kibo at magkaroon ng isang manananggol na iyong sariling pili, at kung hindi ino kayang umupa ng isang manananggol bibigyan ka namin ng isa".

l. Team leader, poseur-buyer and evidence custodian shall conduct actual inventory of the seized evidence by means of weighing and/or physical counting, as the case maybe;

m. Photographs of the evidence must be taken including the process of taking the inventory especially during weighing, and if possible under existing conditions, with the registered weight of the evidence on the scale focused by the camera;

n. The poseur-buyer must prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof and thereafter, shall turn it over to the evidence custodian and the possessor, if possible;

o. The seizing officer (normally the poseur-buyer) and the evidence custodian must mark the evidence with their initials and indicate the date, time and place the evidence was seized;

p. Only the evidence custodian shall secure and preserve the evidence in a suitable evidence bag or in an appropriate container and thereafter, deliver the same to the PNP CLG or NBI for laboratory examination;

q. Upon completion of the buy-bust operation that resulted in the arrest of the suspect, unless a tactical interrogation of the suspect on the scene shall lead
to follow-up operation, the team leader shall consolidate his forces and return to unit headquarters with the suspect and evidence for documentation.

**SEARCH WARRANT**

1. **Planning and Preparation**

   a. Intensive intelligence data gathering must be undertaken for the production of evidence-based intelligence to be processed and duly disseminated. These must be supported by credible documents such as: Summaries of Information, Sketches, Sworn Statements and others of intelligence value.

   b. Intelligence operations must be properly documented with Pre-operations Orders, After Surveillance and After Casing Reports supported by maps sketches, photographs, background investigation and record check reports and other relevant after-operation reports.

   c. Valuable information gathered by intelligence operatives must be recorded in notebooks to be duly preserved to strengthen arresting officers' credibility in court during trials.

   d. Intelligence information gathered through telephone calls, walk-in informers, letter complaints, letter referrals and public complaints shall be duly recorded in unit logbook or blotter book and shall be verified or referred for intelligence analysis and timely disposition/dissemination. Once the identity, movements, activities and location of the suspect are establish, the unit Chief or his duly authorized subordinate officer shall issue a Pre-Operation Order for the conduct of test-buy to be undertaken by an operating team to test the genuineness of the stuff in the possession of the would-be target personality.

   A laboratory examination of the stuff obtained in the test-buy shall be made by a duly accredited drug laboratory. If the result of the laboratory examination turns out to be positive of dangerous drug, application for search warrant shall be prepared and duly accomplished by the team leader and recommended by the Unit/Office Chief or by the Director, NARGROUP for units within Metro Manila. Deposition of two (2) witnesses who have personal knowledge of the subject of search shall be prepared. Search Warrant shall be applied with competent court. After the search warrant is issued by the competent court, the Receipt of Property Seized, Certificate of Orderly Search and Drug weighing report shall be prepared.

**Conduct of Operation**

   a. Prior to jump-off, briefing, rehearsal, formation for accounting of personnel, checking of uniforms and required documents, inspection of firearms and equipment shall be conducted.
   b. Jump-off time shall always be recorded in the unit's blotter/logbook.
   c. Alertness and security shall at all times be observed.
   d. Actual and timely coordination with the nearest PNP territorial unit must be made.
e. Proper coordination and assistance for the witnesses from the barangay having jurisdiction over the place where the premises to be searched is located shall be made.

f. Area security and dragnet or pursuit operation must be provided.

g. No civilian agent shall be allowed to be a member of the searching party.

h. Instant area observation shall be made by the team leader before giving notice of his purpose and authority to the owner/lawful occupant of the premises to be searched of at least two (2) witnesses preferably Barangay Officials or responsible persons in the area.

i. If refused admittance, a door or window may be broken to effect entry and search. In no case shall search be made without the presence of two (2) witnesses.

j. The perimeter security group must be positioned to cover all exit/entry points before the entering/raiding group shall decisively subdue the suspect/s with the use of necessary and reasonable force only.

k. Before entry, the Search Warrant shall be served by having a copy received by the respondent or any responsible occupant of the place to be searched.

l. After the entering/raiding group has secured its entry into the premises, the search group and evidence custodian and two (2) witnesses shall enter the premises for the conduct of the proper search, as follows.

1. In all cases, the search must be witnessed by the owner, in the presence of at least two (2) responsible persons in the vicinity, preferably two (2) barangay/town officials.

2. Only those personal property particularly described in the search warrant shall be seized to wit:

   a) subject matter of the offense;
   b) stolen or embezzled and other proceeds or fruits of the offense;
   c) used or intended to be used in the commission of an offense;
   d) objects which are illegal per se, e.g. F/As and explosives; and
   e) those that may be used as proof of the commission of the offense.

m. If the premises to be searched have two or more rooms or enclosures, each room or enclosure must be searched one at a time and in the presence of the occupants and two (2) witnesses;

n. Photographs of the evidence must be taken upon discovery without moving or altering its position in the place where it placed, kept or hidden.

o. The search group and evidence custodian, supervised by the team leader, shall take actual physical inventory of the evidence seized by weighing or counting, as the case maybe, in the presence of the witnesses to include the suspect who must be placed under arrest upon discovery of any of the items described in the search warrant.

p. The duly designated searching element who found and seized the evidence must mark the same with his initials and also indicate the time, date and place where said evidence was found and seized thereafter, turn it over to the duly designated evidence custodian who shall also mark the evidence and indicate the time, date and place he received such evidence.

q. Evidence seized must be weighed in the presence of the occupants and witnesses and prepare the drug weighing report to be signed by the arresting officers, evidence custodian, occupants and witnesses. Again, photographs of
the evidence shall be taken while in the process of inventory and weighing scale focused by the camera.

r. A receipt and drug weighing report must be accompanied based on the actual physical inventory and weighing of the evidence found and seized and furnish the owner/possessor copies thereof or in his absence the occupant of the premises and to the two (2) other witnesses in the conduct of search.
s. The owner or occupant of the premises 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 nothing was taken except those mentioned in the search warrant. If the suspect or occupant of the premises refuses to sign the documents, indicate his refusal therein;
t. Only the duly designated evidence custodian shall secure and preserve the evidence in an evidence bag or appropriate container and thereafter ensure its immediate presentation before the court that issued the search warrant;
u. The applicant shall cause the return of search warrant together with the receipt of seized evidence immediate after the service of the warrant with prayer to the court that the evidence would be forwarded to a duly accredited/recognize drug laboratory for examination;
v. Upon completion of the search, seizure and arrest and unless the tactical interrogation of suspect of the scene shall lead to a follow-up operation, the team leader shall consolidate his forces to see to it that no ransacking or looting or destruction of property is committed;
w. Thereafter the team shall immediate return to unit headquarters with the suspect and evidence for documentation.

**MARIJUANA ERADICATION**

1. Planning and Preparation:

- a. The operation shall be preceded by an intelligence data gathering to verify the existence of vast marijuana plantations and supported by documentary evidence such as Summary Information, maps, sketches and photographs;
- b. The intelligence operations must be appropriately documented by Pre-operations Order and after-Casing reports duly supported by sketches, maps, photographs and other relevant after operations reports;
- c. After identifying the exact location of the target plantation and establishing the identity of the cultivator or owner of the land, if possible, coordination shall immediately be made with other AFP units in the area, especially the Philippine Air Force for availability of aircraft, if any, for assistance in the eradication operation;
- d. Barangay eradication teams shall be organized in the target plantation area to complement narcotics eradication elements in the uprooting of the marijuana plants and in the information and education campaign;
- e. A Pre-operation order shall be issued by the unit chief directing the conduct of eradication operation by capable and duly trained narcotics eradication forces in a pre-determined plantation sites with the assistance of other AFP units in the area and Barangay eradication teams;
a. Due to great risk involved in eradication campaign, series of briefings, rehearsal, formation for accounting of personnel, checking of uniforms and documentary requirements, inspection of firearms and equipment shall be conducted;
b. The time of jump-off must be recorded in the unit's blotter/log book".
c. Alertness and security shall at all times be observed;
d. Actual and timely coordination with the nearest PNP Police Station in the area must be made;
e. Area security and dragnet or pursuit operation must be provided;
f. If possible, only Barangay eradication teams duly organized in the locality shall do the uprooting of marijuana plants;
g. If the identity of the cultivator and/or owner of the land where the marijuana were plated are known and found in the plantation site, their arrest must be effected;
h. Necessary and reasonable force shall be resorted to only in case of suspect's resistance:
i. After lawful arrest, the arresting element shall search the body and vehicles, if any, of the suspect for other concealed evidence of deadly weapon;
j. The arresting elements shall apprise suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows;

"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 counsel, you will be provided one"

(Pinapaalalahanan 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)

k. All marijuana plants shall be uprooted and marijuana seedlings and leaves must be destroyed and burned in the plantation site taking only substantial specimens for evidentiary purposes;

I. Photographs of the evidence must be taken in different angles before and while in the process of uprooting, destruction and burning.
m. Evidence custodian shall secure and preserve the evidence in a suitable evidence bag or container and thereafter, deliver the same to the duly accredited/recognized drug laboratory for examination.
n. Upon completion of the eradication operation, the team leader shall consolidate his forces to see to it that no looting or unnecessary destruction of other property is committed.
o. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

D. MOBILE CHECKPOINT OPERATION

1. Planning and Preparation
a. Prior intensive intelligence data gathering supported by credible summary of information, sworn statements and other valuable intelligence information which are evidence-base of shall be undertaken.
b. The intelligence operation must be properly documented by Pre-Operation Orders, After-Surveillance and After Casing Report supported by photographs, background investigation, record checks, description of vehicles with documents and other relevant information about the target personality.
c. Intelligence files/documents against the suspect must be verified, validated and prepared.
d. Operating elements shall be organized to be composed of perimeter security group, covert spotter group, interdiction group, back-up/security group, motorized pursuit group, inspection group and evacuation group.
e. Check-point signs and other appropriate operational equipment/gadgets must be prepared.
f. Receipt for Property Seized, Certificate of Orderly Search and Drug Weighing Report must be prepared.

2. Conduct of operation

a. Before jump-off, briefings, rehearsal, accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted.
b. The time of jump-off must be recorded in unit log or blotter book.
c. Alertness and security shall at all times be observed.
d. Actual and timely coordination with the PNP territorial unit must be made;
e. All vehicle inspection and person frisking should be conducted with utmost courtesy and without inconveniencing the public and unduly disturbing the orderly traffic flow.
f. Only illegal items that are found in plain view shall be subject of confiscation. No search of vehicle and occupants thereof shall be conducted unless and until evidence in plain view if found therein.
g. All seized items shall be properly receipted bearing the signature of the possessor, seizing element and evidence custodian.
h. The seizing elements and evidence custodian shall mark the items of the possessor, seizing element and evidence custodian.
i. Only the evidence custodian shall secure and reserve the evidence in a suitable evidence bag or in a appropriate container with proper markings.
j. Base on additional and contingent intelligence, the operation may be transferred to another area in pursuance of its objective; and
k. The team leader shall consolidate his forces and return to unit headquarters upon completion of the mission which should not exceed 24 hours.

E. AIRPORT AND SEAPORT INTERDICTION

1. Planning and Preparation:

a. Intensive intelligence and data gathering supported by summary of information, sketches, sworn statements and flight/travel data shall be conducted.
b. Intelligence operation must be appropriately documented by Pre-Operation Orders and After Surveillance Reports supported by photograph of the target
personality, sketches, names of local connections, report of background investigation and record check and other relevant information.

c. Operational and technical equipment shall be prepared;
d. Receipt of property seized, certificate of Orderly Search and drug weighing report must be prepared;

2. Conduct of Operation

a. Coordination with airport and seaport authorities about the conduct of narcotics operation within their territorial jurisdiction must be made;
b. Inspection and effecting arrest of suspect must be left to the airport or seaport authorities unless allowed to conduct a joint operation;
c. The person arrested by the airport or seaport authorities must be placed under arrest when he is turned over to the NARGRP arresting elements for investigation;
d. Actual physical inventory of the evidence by weighing or physical counting must be taken in the presence of the authorized person who discovered the same, the suspect and other responsible persons;
e. Photographs of the evidence must be taken while conducting inventory especially when weighing and making sure that the registered weight in the scale is focused by the camera;
f. The duly designated evidence custodian shall mark the evidence with his initials and indicate the time, date and place be received and evidence and thereafter secure the same in a suitable evidence bag or container;
g. The duly designated evidence custodian shall issue a receipt based on the actual physical inventory of the evidence confiscated for issuance to the person who named over the same;
h. The investigator shall take the sworn statement of the authorized person who discovered and seized the evidence and all possible witnesses to the discovery and seizure of said evidence;
i. Only the duly designated evidence custodian shall secure and preserve the evidence in an evidence bag or appropriate container and thereafter ensure its immediate presentation of same to the proper drug laboratory for forensic examination;
j. Tactical interrogation on suspect must be conducted for possible follow-up operation and intelligence consumption only and not for evidentiary purposes unless the interrogation is taken in the presence of his counsel;
k. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation.

F. CONTROLLED DELIVERY

1. Planning and Preparation

a. Prior intensive intelligence data gathering and evaluation to determine the applicability of controlled delivery operation shall be conducted. Intelligence information derived from an informant, other police agencies or international law enforcement agencies shall be properly recorded and document;
b. Intelligence operation must be supported by credible documents such as summary of information, maps, sketches, sworn statements, photographs,
after casing/surveillance reports, background investigation reports and record checks;
c. Controlled delivery operations shall be conducted only against drug and notorious drug personalities involving big volumes of drugs;
d. A project proposal for the conduct of Controlled Delivery Operations shall be timely prepared and forwarded to the Chief, PNP for his approval. In no case shall controlled delivery operations be conducted without prior CPNP approval;
e. A committee or board shall be constituted to study and evaluate a project proposal for the suitable employment of a controlled delivery operation. The committee or board shall be composed of a responsible ranking police officers in the PNP Directorial Staff and Director, NARGRP who shall prescribe the requirements, limitations and guidelines in the conduct of controlled delivery operation. It shall issue the necessary documents authorizing the conduct of controlled delivery operation indicating therein the names of participating elements and other pertinent data;
f. Only selected and duly trained elements of the PNP NARGRP shall undertake the controlled delivery operation to the exclusion of other PNP units to prevent the abuse of its employment and rivalry among other police units;
g. The operation must have a limited time-frame depending upon the magnitude of the drug syndicates, the involvement of target personalities, the capability of selected operating elements and the participation of international police agencies;
h. Selected elements to undertake the delicate operation shall be isolated from other operatives by confinement in a discreet place to be designated by the committee or board to avoid any leak that may compromise the operation;
i. If controlled delivery proposal emanates from international police agency, a formal written communication endorsed by the requesting foreign government duly coursed through the "Interpol" shall be forwarded to the Chief, PNP;
j. The conduct of controlled delivery shall be either by way of a courier escorted by an undercover agent or by way of combination of moving and electronic surveillance, depending upon the magnitude of the operation, the source of the stuff to be delivered, the capability of the participating elements and other circumstances affecting the operation. The most important paramount consideration shall be one that is consistently effective in the control of the courier without losing hold of him until arrest is effected.

2. **Conduct of Operation**

a. While the selected elements are confined, series of briefings and rehearsals shall be conducted as may be practicable;
b. Before jump-off, formation for accounting of personnel, checking of uniforms, inspection of firearms and equipment shall be conducted;
c. The time of jump-off shall be recorded in the unit’s blotter/log book or in the team leader’s notebook which shall contain the diary of events that transpired during the start of the operation until the arrest of the suspects is effected. The notebook shall be preserved as a special blotter book to form part of the documents covering the operation;
d. Alertness and security consciousness shall at all times be observed by the operating elements;
e. Actual and timely coordination with the nearest PNP territorial unit must be made;
f. Discreet route and area security must be provided to the operation by undercover operatives and territorial units requested to assist in the operation;
g. In positioning of the undercover operatives they — striking position the transaction between the target suspect-consignee and the courier;
h. The arresting undercover operatives, if possible shall arrest suspect in a defensive manner anticipating possible resistance with the use of deadly weapons which may be concealed in his body, vehicle or in a place within arm reach;
i. In cases of controlled delivery operation with the participation of foreign police agencies, only the selected NARGRP operatives shall undertake the police operation and arrest of the suspects;
j. After lawful arrest, the arresting element shall search the body and vehicle, if any, of the suspect for other concealed evidence or deadly weapons;
k. The arresting element shall appraised suspect of his constitutional rights loudly and clearly after having been secured with handcuffs, as follows:

"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 counsel, you will be provided one"

(Pinapaaalalahalan ka namin na ikaw ay may karapatang magsawalang-kibo at magkaroon ng isang manananggol na iyong sariling pili, at Rung hindi mo kayang umupa ng isang manananggol bibigyan ka namin ng isa)

Team leader and evidence custodial shall conduct actual inventory of the seized evidence by means of weighing and/or physical counting as the case maybe;

Photograph of the evidence shall be taken while in the process of conducting inventory especially during weighing, and if possible under existing conditions, the registered weight of the evidence on the scale focused by the camera.

The evidence custodian must prepare a detailed receipt of the confiscated evidence for issuance to the possessor (suspect) thereof. The receipt shall be signed by the team leader, evidence custodian and the possessor, if possible;

The seizing officer and the evidence custodian must mark the evidence with their initials and indicate the date, time and place evidence was seized;

Only the evidence custodian shall secure and preserve the evidence in a suitable evidence bag or in an appropriate container and thereafter, deliver the same to the PNP CLG or NB1 for laboratory examination. Upon completion of the controlled delivery operation, unless tactical interrogation of
suspect on the scene shall lead to a follow-up operation, the team shall consolidate his forces to see to it that no ransacking or looting of property is committed:

r. Thereafter, the team shall immediately return to unit headquarters with the suspect and evidence for documentation,

G. UNDERCOVER OPERATION

1. Planning and preparation

a. Undercover operation shall be initiated only under circumstances where evidence can be hardly obtained and open investigation is unsuccessful;
b. This type of operation is itself an intelligence operation which shall very widely depend on the settings and situation of the undercover agent and the Chief, Unit Investigation Section in the field. All procedural requirements in the proceedings must be promptly complied with; In the provinces/towns where there are no inquest prosecutors available, filing of the case may be made before the MTC/MCTC where the presiding judge thereof conducts the inquest proceedings or investigation and issues warrant of arrest and commitment order. After inquest, the living person of the arrested person must be turned over to the city/municipal jail with corresponding commitment order of the inquest prosecutor/judge.

The following are the requisite documents in filing the case:

A. Buy-Bust Operation

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/ Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of Poseur-buyer;
4. Detailed Affidavit of Evidence Custodian;
5. Accomplished letter requests for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;
6. Accomplished letter request for ultra-violet dusting of marked money;
7. Receipt of the evidence seized/confiscated;
8. Accomplished drug weighing report;
9. Booking sheet and arrest report;
10. Accomplished booking sheet and arrest report;
11. Photographs, sketches, maps, etc.
12. Buy-Bust money used during the conduct of the operation;
13. Accomplished letter request for drug test and corresponding result, if any;
14. Other documents of evidentiary value.

B. Search with Warrant

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/
2. Provincial or complaint filed with MTC/MCTC in the provinces/towns;

3. Joint Affidavit of Arrest;

4. Detailed Affidavit of Poseur-buyer;

5. Detailed Affidavit of Evidence Custodian;

6. Accomplished letter requests for laboratory examination of evidence, marked money and arrested person and corresponding results issued by the examining laboratory;

6. Accomplished letter request for ultra-violet dusting of marked money;

7. Receipt of the evidence seized/confiscated;

8. Accomplished drug weighing report;

9. Booking sheet and arrest report;

10. Accomplished booking sheet and arrest report;

11. Photographs, sketches, maps, etc.

12. Buy-Bust money used during the conduct of the operation;

13. Accomplished letter request for drug test and corresponding result, if any;

14. Other documents of evidentiary value.

C. Marijuana Eradication

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/

2. Provincial or complaint filed with MTC/MCTC in the provinces/towns;

2. Joint Affidavit of Arrest, if there is any arrest made;

3. Detailed Affidavit of raiding element, if no arrest made but the cultivator is identified;

4. Affidavit of persons who have personal knowledge of the identity of the cultivators:

5. Detailed Affidavit of Evidence Custodian;

6. Accomplished letter requests for laboratory examination of evidence and corresponding results thereof;

7. Receipt of properly seized:
8. Accomplished drug weighing report;

9. Accomplished letter request for drug test and arrested persons, if any, and corresponding result thereof, if available;

10. Photographs, sketches, maps, etc.

11. Accomplished booking sheet and arrest report, if there is arrest made;

12. Others of evidentiary value.

**D. Mobile Checkpoint Operation**

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;

2. Joint Affidavit of Arrest;

3. Detailed Affidavit of Evidence Custodian;

4. Accomplished letter requests for laboratory examination and corresponding results thereof;

5. Receipt of the property seized;

6. Accomplished certificate of Orderly Search;

7. Accomplished drug weighing report;

8. Accomplished letter request for drug test and corresponding result, if any;

9. Accomplished Booking sheet and arrest report:

10. Photographs, sketches, maps, etc.

11. Others of evidentiary value.

**E. Air/Seaport Interdiction**

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/Provincial or complaint filed with MTC/MCTC in the provinces/towns;

2. Joint Affidavit of Arrest;

3. Detailed Affidavit of Evidence Custodian;

4. Accomplished letter requests for laboratory examination and corresponding results thereof;
5. Receipt of the property seized;
6. Accomplished certificate of Orderly Search;
7. Accomplished drug weighing report;
8. Accomplished letter request for drug test and corresponding result, if any;
9. Accomplished Booking sheet and arrest report;
10. Photographs, sketches, maps, etc.
11. Others of evidentiary value.

F. Controlled Delivery Operation

1. Letter referral addressed to the Chief State prosecutor, DOJ/City/ Provincial or complaint filed with MTC/MCTC in the provinces/towns;
2. Joint Affidavit of Arrest;
3. Detailed Affidavit of the duly designated escort;
4. Detailed Affidavit of Evidence Custodian:
5. Accomplished letter requests for laboratory examination of evidence and corresponding results issued by the examining laboratory;
6. Receipt of the evidence seized/confiscated;
7. Accomplished drug weighing report;
8. Photographs, sketches, maps. etc.
9. Accomplished letter request for drug test and corresponding result, if any;
10. Others of evidentiary value.

G. Undercover Operation

The same documents as in the narcotics operation implemented in effecting the arrest of the suspect shall be prepared.

5. TRIAL OF THE CASE

1. All personnel duly notifies to appear before the court to testify in the trial case shall religiously attend to and shall submit their court duty schedules and after-court-duty report to Office of the Chief, Legal and Investigation Division (OCLID) for recording and monitoring purposes;
2. All duly issued court processes must be properly complied with and returned by concerned personnel;

3. All units shall maintain and display in conspicuous places the respective court duty schedule
4. Any apparent or noticeable irregularity during the hearing of the case by the court shall at once be acted upon by the unit Chief, by calling the attention of the Judge and/or reporting it in writing with corresponding documents to DNG.

6. RESOLUTION

a. Team leader or arresting officers shall attend the scheduled promulgation of decision.

b. A copy of the decision shall immediately be forwarded to Headquarters, NARGRP (Attn: CUD) for evaluation and records purposes.

TACTICAL BRIEFING

In all cases, a tactical briefing shall be conducted by the team leader (Officer) with all the members of the team present with the critical observation of the Chief, Unit/Office or his duly authorized subordinate Officer, which must clearly present the following:

1. Details on the identity of the suspect/s, the area of operations and the items to be seized;

2. Designation of tasks of each member and their respective groupings as applicable, which shall include the support services (drivers, signal personnel and spotters), intelligence/arresting, entering/raiding, security back-up, search, investigation, evidence custodian, photographer, recorder and perimeter security group, depending upon the kind of narcotics operation to be executed;

3. Firepower, mobility and communications capability; and

4. Movement plan, convoy arrangement and area deployment.

COORDINATING INSTRUCTIONS

A. The following coordinating instructions shall be observed and followed:

1. As far as practicable all operations must be officer-led.

2. All evidence seized during the operation shall be turned over/referred to the appropriate government agency for custody/examination. In no case shall evidence be retained and kept by the arresting unit;

3. Motor vehicles shall be released to the lawful owner/claimant upon presentation of proof of ownership and after approval by the prosecution office
or court. Release shall be properly documented with Technical Inspection Report and receipt by the claimant. Should there be no claimant of the motor vehicle, it shall be turned over to the PNP Traffic Management Group (TMG) with proper documentation.

4. Required reports for every stage of case development in accordance with the computerized case tracking system shall be submitted by all units to OCL1D not later than the due dates indicated under the policy for records updating and monitoring purposes;

5. A record of case-tracking of cases shall by maintained by OCLID and by respective Investigation Section of the units which shall be the basis of OCLID for the submission of consolidated Monthly report to DNG, Office of the Chief, Intelligence Division (OC1D) and the Office of the Chief Operations Division (OCOD) not later than the 5"" day of the following month;

6. All units shall submit records of cases to include court processes pertinent thereto to OCLID for record evaluation purposes;

7. CLID and respective Chief of units shall be primarily responsible for the monitoring/submission of report regarding resolution of cases. Copies of prosecutor's or court resolution/decision of cases shall be submitted to OCLID for record and evaluation purposes;

8. Personnel responsible for the conviction of big drug offenders considered in the watchlist after a full blown trial shall be accorded the appropriate award;

9. Personnel who are found to have caused the dismissal of cases on acquitted of accused due to their obvious deliberate failure to identify in court neglect in their court duty on some other acts or misconduct resulting in the loss of the case, shall be according investigated with the unit Chief;

10. CPIO shall cause the dissemination thru the tri-media of any resolved cases which is worthy of public information and of upgrading PNP credibility;

11. The conduct of any anti-drug abuse operation should not unduly inconvenience the public nor cruelly treat suspects;

12. Humane treatment of arrested suspects must be observed at all times;

13. Conduct of debriefing/critique shall pinpoint areas for improvement and shall record lessons for returning/relearning;

14. The identity of informants shall be fully safeguarded and shall unnecessarily be exposed to obviate any possible reprisals against them and their families and to insure a constant and continuing flow of valuable source of illicit drug activities from them.

15. Use of phrases "acting suspiciously" and "strategic position" in sworn
statement/affidavits shall be avoided. Instead detailed description of what was observed and actions taken during the operation shall be indicated in the affidavits.

16. Surveillance reports and affidavits shall be prepared and executed by those who actually made the observations and actions during the conduct of specific operations.

B. The following Hqs NG issuances shall be applicable in the implementation of this SOP:

1. Ltr Dir dtd 14 June 1993, Creation and Operation of PNP NARCOM Personnel Suitability Committee, which will determine the fitness of every personnel to perform his assigned tasks in the operation.

2. Ltr Dir dtd 14 June 1993, Custody of Detainees, which provides, among others, that all detainees must be covered by a Commitment Order or Warrant of Arrest after the reglamentary period of 18 and 36 hours for custodial investigation, otherwise they have to be released in the absence of any other group to detain them further.

3. Ltr Dir dtd 14 June 1993, Custody of Confiscated/Seized Items, which provides, among others, that those constituting as evidence shall be properly marked and preserved while those not shall be returned to the lawful owner/possessor NLT 24 hours from the completion of Investigation Report, covered by proper receipt.

4. Ltr Dir dtd 21 June 1993, Utilization of Civilian Agents, which is limited to intelligence production and support services only.

5. Ltr Dir dtd 22 June 1993. Functional Relationship between CLID and SOD/MMNOs, RNOs for facility of action and pinpointing of responsibility.

6. Ltr Dir dtd 22 June 1993, Handling of Operational Oversights, which will lead to the conduct of a fact finding inquiry on all complaints/ allegations of irregularities in the conduct of operation.

7. Ltr Dir dtd 23 June 1993, Court Appearances of NARCOM Personnel, which an official duty.

-end-