

Lead
PNP



MANUAL ON
ANTI-ILLEGAL DRUGS
OPERATION AND INVESTIGATION

**MANUAL ON
ANTI-ILLEGAL DRUGS
OPERATION AND INVESTIGATION**

PNP ANTI-ILLEGAL DRUGS
SPECIAL OPERATIONS TASK FORCE
CY 2010



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MALACAÑANG PALACE
Manila

MESSAGE


One of the more enduring legacies that we intend to leave to our people is a shared vision of a “Drug Free Philippines.” We envision a society where the awareness of the evils of drug-abuse is proliferate; where the production and trafficking of drugs is effectively stopped and punished; and where law-enforcement agencies as well as all instrumentalities of government work harmoniously to stamp out and remove any avenue for drug syndicates to ply their trade.

As we all know, the drug problem is complex and our enemies are determined. However, our resolve is unwavering and our determination is strong. We shall increase our steadfastness, improve our strategies and enhance support for the “all out war on drugs.” In this work, no resource will be spared and every tool available to the government shall be utilized.

It is in this context that the publication of this “PNP Manual on Anti-Illegal Drugs Operations and Investigation” finds its important niche. As it defines our strategies, the manual lays down the important actions to be done in support of these.

Let us continue to increase our determination to address the drug problem even as we work hand-in-hand with partner agencies and countries equally concerned with creating a society free from illegal drugs.

Congratulations.


GLORIA MACAPAGAL-ARROYO
President



Republic of the Philippine
**DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT**
A. Francisco Bldg., EDSA,
Kamuning, Quezon City

MESSAGE

Greetings!!!

Allow me to congratulate the Philippine National Police for crafting this very important piece of work “The PNP Manual on Anti-Illegal Drugs Operation and Investigation.”

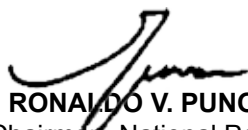
In the complexity of the work related to stamping out the menace of drugs, this manual gives “Rhyme and Rhythm” to the practice and procedures of law-enforcement. It gives our operatives and investigators the “value-added” benefit of being able to source a reference to plug possible loopholes in the course of their work. More than this, it also paves the way for a greater and smoother coordination and “inter-operability” with other law-enforcement units, both in the national and international arena.

This manual puts the PNP on level footing with other drug enforcement agencies of other countries whose work also impacts our own owing to the transnational nature of this crime.

This is as much their guide as well as ours.

Let this work be the evidence of our serious determination to contribute to the world-wide concern and effort to effectively address the threat of illegal drug-abuse and proliferation.

Congratulations.



RONALDO V. PUNO

Secretary and Chairman, National Police Commission



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

MESSAGE

The publication of the PNP Manual on Anti-Illegal Drugs Operation and Investigation adds another milestone to the Integrated Transformation Program of the PNP. For the first time, a reference containing the proper procedures for the conduct of anti-illegal drugs operations and investigations can be readily accessed by our personnel involved in this endeavor. While we have not desired to “re-invent the wheel” in this case, the PNP thru AIDSOTF, has succeeded in establishing a template which can enhance success and contribute its own accomplishments to the cause of freeing our society, especially our youths, from the menace of drug-abuse.

It is a common knowledge in law-enforcement all over the world that the methods of drug syndicates are more complex now more than ever. In response, the PNP has had to be more dynamic in their strategies and tactical actions, while determinedly increasing its mastery of the basic tenets of operations and investigation making sure that full-proof and winnable cases are filed in the court, and for these cases to reach the final stage of convicting and punishing offenders.

The knowledge available in this manual is a product of a life-long experience in the fight against the drug trade.

As the Chief, PNP, I extol everyone to be well-versed in the context of this manual and to understand and uphold its tenets.

Lead PNP!


JESUS A. VERZOSA, CEO VI
Police Director General
Chief, PNP



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

MESSAGE

The challenge of Her Excellency President Gloria Macapagal-Arroyo for the Philippine National Police to help in the effort to stamp out the drug menace to our country is urgent upon us. We have welcomed this challenge as we endeavor to give our people a drug-free society. Engaged in the multi-faceted strategies of the anti-drugs operations, the PNP, thru AIDSOTF, have had significant inroads in this concern even as it continues to score more successes in its effort.

We can do more!

To enable us to improve on our gains and ride the momentum of our initial triumphs, we have crafted this “Manual on Anti-Illegal Drugs Operation and Investigation.” This shall aid our field commanders, operators and investigators in the proper procedures in their work to ensure a greater chance of success especially in the prosecution of arrested suspects.

The procedures on coordination with other law-enforcement agencies who are also concerned with anti-illegal drugs operations shall particularly strengthen our partnership with them, particularly our support role to PDEA.

The protocols established in this manual are products of the collective experience of field commanders, operatives, investigators and prosecutors involved in law-enforcement. They have been made to address the challenges of the field and the realities at the ground-levels of policing. They have been so crafted as to be definite in their intent without taking away the necessary discretion meant to enable a dynamic and responsive action in pursuit of a successful operation and investigation.

Thus, with the publication of this work, the PNP adds to the tremendous focus that this government has mandated for this specific concern and our shared vision of a “drug-free” Philippines.

ATTY. JEFFERSON SORIANO, PhD/CEO VI
Police Deputy Director General (DSC)
The Deputy Chief PNP for Administration



Republic of the Philippines
Department of the Interior and Local Government
National Police Commission
NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE
OFFICE OF THE DEPUTY CHIEF PNP FOR OPERATIONS
Camp Crame, Quezon City

MESSAGE

It is with great honor and pride that I congratulate the Officers and men of the Anti-Illegal Drugs Special Operations Task Force for coming up with the official “Manual on Anti-Illegal Drugs Operation and Investigation”. Truly this is a welcome feat to all our officers and men working in the field.

More than a timely piece of work, this manual will surely boost the knowledge and capabilities of our operatives in performing their duties of pursuing pushers, traders and users of illegal drugs in the country.

For many years, we have been made victims of the drug menace, and for years the PNP in partnership with the Philippine Drug Enforcement Agency has also been relentlessly chasing organized crime groups and big-time drug peddlers in order to cripple the illegal drugs trade in our communities.

Enforcing the law on illegal drugs is never easy. Our police operatives are made vulnerable to high risks of intimidation and harassment; and oftentimes the danger of losing their lives and careers as police officers is much a risk to take. But gallant and courageous as our police personnel are, we do not run out of heroes willing to pursue the campaign against illegal drugs and come face to face with big drug syndicates if only to assure a drug-free future for our children.

Thus, this manual is indeed a welcome accomplishment and a glass-clear manifestation of the living spirit of the PNP Integrated Transformation Program that aims to develop leaders at all levels. This manual will surely help our personnel gain a better understanding and appreciation of the processes and procedures in operating and investigating illegal drugs cases and pave the way towards a victorious battle against illegal drugs.

A large, stylized handwritten signature in black ink, appearing to read 'Edgardo E. Acuña'.

EDGARDO E ACUÑA, CEO VI
Police Deputy Director General
TDCO/TF Commander, AIDSOTF

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PNP MANUAL ON ANTI-ILLEGAL DRUGS OPERATION AND INVESTIGATION

RULE I – GENERAL PROVISIONS

Section 1. Short Title – This Manual shall be known as the “**PNP Manual on Anti-Illegal Drugs Operation and Investigation**”.

Section 2. Purpose – This Manual on Anti-Illegal Drugs Operation and Investigation provides for the standard rules to be followed by all PNP members and units engaged in the enforcement of RA 9165 in support of PDEA. It further provides guidance for the efficient and effective performance of their duties and responsibilities.

Section 3. Declaration of Policy – The PNP in its Anti-Illegal Drugs Operation and Investigation shall conform with the provisions of RA 9165, the rules of Court, and to strictly observe the Rights of the Accused enshrined in the Bill of Rights under the 1987 Philippine Constitution, other allied laws, Rules and Regulations, as well as, the internationally accepted principles of international laws, public policy, and with due observance of human rights.

Section 4. Governing Principles – All PNP members and anti-illegal drug units (AIDSOTF, RAIDSOTF, CAIDSOTF, SAIDSOTF, and other authorized units) shall conduct their operation and investigation in accordance with RA 9165, other pertinent laws, rules, and regulations, and shall observe the following principles in support of the mission and vision of the PNP, to wit:

a. Transparency in the operation and investigation process in support of the PDEA with emphasis on the preservation of the integrity of the chain of custody of evidence in accordance with Section 21 (a) RA 9165 to protect the integrity and probative value of the same, right of the suspect/s under custodial investigation provided under RA 7438, and compliance with court duty under the Rules of Court to ensure the conviction of the accused beyond reasonable doubt.

b. Accountability of all PNP members and anti-illegal drug units in the enforcement of RA 9165 shall be emphasized.

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

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

Section 5. Scope and Application – This Manual on Anti-Illegal Drugs Operation and Investigation implementing RA 9165 or The Comprehensive Dangerous Drugs Act of 2002 shall apply to all PNP members and its anti-drug units at all levels.

Section 6. Standardization of Forms – To avoid confusion, maintain uniformity, and preserve the chain of custody of evidence vital to the accomplishment of anti-illegal drug operation, all pertinent documents shall conform to the standardized pro-forma forms enumerated in Annex “A” and Annex “B” of this Manual.

Section 7. Definition of Terms:

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

Arresting Officer - a police officer responsible for the apprehension of the suspects.

Buy-Bust Operation - is an entrapment technique employed by a peace officer as an effective way of apprehending a criminal in the act of the commission of the offense.

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

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

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

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

Chemical warehouse – any facility used as storage of CPECs, equipment and paraphernalia used in the manufacture of dangerous drugs.

Child in conflict with the law (CICL) – a person below 18 years of age who is alleged as, accused of, or adjudged as, having committed acts in violation of RA 9165.

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

Classified Information/Reports/Documents – information, reports or documents classified as top secret, secret, confidential and restricted which cannot be divulged without prior clearance from proper authorities.

Confidential Informant - any person that either furnishes information regarding drug trafficking or perform an activity under the specific direction of a Police or other authorized personnel.

Controlled Precursors and Essential Chemicals (CPECS)– those listed in Tables I and II of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the annexes which are integral parts of RA 9165 and those classified by the Board pursuant to Section 93 of RA 9165.

Controlled Delivery - the investigative technique of allowing an unlawful or suspected consignment of any dangerous drug and/or controlled precursor and essential chemicals, equipment or paraphernalia or property believed to be derived directly or indirectly from any offense, to pass into, through or out of the country under supervision of an authorized officer, with a view to gathering evidence to identify any person involved in any dangerous drugs-related offense, or to facilitate prosecution of that offense. (RA 9165)

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

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

Drug Evidence - any dangerous drug or Controlled Precursor and Essential Chemical (CPECs), equipment, apparatus, paraphernalia, material, marked-money and any other item seized/confiscated during the anti-drug operation.

Drug Law Enforcement Operation - an official action conducted by the PNP with the aim of achieving supply and demand reduction of dangerous drugs.

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

Flagrante Delicto – means in every **act of wrong** (Philippine Legal Encyclopedia). For purposes of this Manual it shall mean in the act of committing any violation of RA 9165.

Ground Commander – is a designated police commissioned officer who is physically present in the target area and responsible for the over-all supervision and control of the anti-drug operation conducted by a composite unit.

High-Profile Targets (HPT)– Illegal Drug personalities whether local or foreign, involved in the manufacture, importation, exportation, large scale distribution, transport or delivery of large quantity of dangerous drugs, CPECS, laboratory equipment/apparatus, maintenance of a drug den, dive or resort and cultivation of plantation of plant sources of dangerous drugs.

Intelligence - is a product created through the process of planning, directing, collecting, collating, and analyzing data, for dissemination as usable information that typically assesses events, locations or adversaries, to allow the appropriate deployment of resources to reach a desired outcome.

Interdiction - is the interception of illegal drugs being transported by air, water and land.

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

Instrumentation – is the scientific examination of evidence collected in the course of anti-drug operations.

Investigation – is the collection of facts and evidence to accomplish a three-fold aim:

- a. to identify the guilty party
- b. to locate the guilty party
- c. to provide evidence of guilt

Investigator-On-Case – a police officer responsible in the investigation, gathering of evidence and the preparation of documents for purposes of inquest or direct filing of the case before the prosecutor's office.

Planned Operation – A designed police operation targeting personalities, syndicates and their accomplices involved in illegal drug activities.

Poseur-buyer - the police officer who is designated to pretend to be a civilian buyer of dangerous drugs for purposes of effecting the arrest of the offender.

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

Recorder – a police officer responsible in recording the events that transpired during the conduct of the anti-drug operation.

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

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

Seizing/Inventory Officer - the police officer who is designated to seize and inventory the evidence from the arrested suspects.

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

Team - Two (2) or more police officers trained in anti-illegal drug operations.

Team Leader - A police officer, preferably a PCO, responsible for leading his team in the conduct of case build-up, raid, arrest, investigation, filing and monitoring of the case.

Use of Force – is the application of reasonable force to subdue or effect the arrest of violators of RA 9165.

RULE II – GENERAL RULES AND PROCEDURES

Section 8. Authority to Operate

- a. Paragraph (a) to (e) Section 24, RA 6975 as amended by RA 8551.
- b. Republic Act 9165 and its IRR.

c. The PNP still possess authority to conduct anti-illegal drug operation provided that the case shall eventually be transferred to the PDEA based on Supreme Court Decisions in **People of the Philippines versus Sta. Maria, G.R. No. 171019, February 23, 2007** and **People of the Philippines versus Rashamia Hernandez et. Al., G.R. No. 184804, June 18, 2009**. Hence, PDEA deputation is no longer necessary or required for PNP personnel assigned with anti-drug units.

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

- e. DOJ Legal Opinion No 67 series of 2009.

Section 9. Coordination Requirements

a. PNP units, prior to any anti-drug operations shall, ***as far as practicable***, coordinate with the Philippine Drug Enforcement Agency.

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

c. The word “***As far as practicable***” as being used in Section 86, IRR, RA 9165, means that which prior coordination with the PDEA may be done, practiced or accomplished and which is feasible and possible to be performed. However, it admits exceptions. The following instances, among others are deemed not practicable for prior coordination, to wit:

1. In remote places where coordination is not possible;
2. When coordination will compromise the lives of police operatives, informant and witnesses, involved in anti-drug operation;
3. When coordination will prejudice the apprehension of drug suspects and confiscation of dangerous drugs and CPECs;

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

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

Section 10. Reporting Requirements - In every successful anti-drug operation, PNP SAIDOTG, DAIDSOTG, PAIDSOTG, RAIDSOTG and NOSUs shall submit to the PNP AIDSOTF and The Directorate for Operations the following reports:

- a. Spot Report
- b. Development Report
- c. After Operation Report
- d. Progress Report

Section 11. Planning and Preparation

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

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

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

d. The designated team leader must determine the number of agents he/ she will need to successfully conduct the anti-drug operations. In choosing his members, the following shall be considered: 1) **Expertise**; 2) **Experience**; 3) **Technical Aptitude**.

e. The team leader must, prior to the actual anti-drug operations, conduct a detailed briefing to the operating personnel. Charts, photographs, maps, etc., should be used as necessary. The specific duties and responsibilities of each member must be clearly discussed.

f. Planning must include the proper handling and disposition of apprehended suspects and seized items wherein no apprehended persons shall be released without clearance from the duly designated authority.

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

h. The team leader in coordination with the assigned legal officer should see to it that appropriate warrant/s are obtained.

i. Without sacrificing operational security, coordination must be done with the local police units of the area of operation to prevent any possible confrontation.

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

k. All operating units shall designate a "seizing officer" who shall be responsible for taking into custody all drug and non-drug evidence during the anti-drug operations to ensure that all these are safe and handled in accordance with Section 21 RA 9165 and its IRR.

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

m. No PNP personnel shall be allowed to conduct a planned anti-illegal drug operation unless he is a member of an anti-drug unit.

Section 12. Conduct of Operation

a. All anti-illegal drug operations to be conducted by a team shall be led by a police commissioned officer except in far flung areas where there are no assigned PCO's.

b. In any anti-drug operation, the team leader must see to it that all actions are in accordance with the law, the crime-scene preserved and well-managed, the suspects are properly arrested, all possible evidence are taken into custody and that the safety of operating elements and innocent people in the area of operation are ensured.

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

d. The desk officer shall maintain a record of the events, which includes among others, jump-off time and date, name of team leader, area/s of operation and vehicles used. A record book shall be preserved for the purpose and shall form part of the documents covering the operation.

e. Upon arrival in the area of operation, instant area observation and assessment must be conducted by the team leader and last minute instructions given, as necessary.

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

g. Any arrested suspect shall be apprised of his/her CONSTITUTIONAL RIGHTS (I/We are police officers I/we are arresting you for violation of RA 9165. You are hereby informed that you have the right to remain silent and to have a competent and independent counsel of your own choice, and if you cannot afford the services of a counsel you will be provided one). "Kami ay mga pulis, inaaresto ka namin sa paglabag ng RA 9165. 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" loudly and clearly after having been secured with handcuffs - hands behind the back. In cases where the arrested suspects are foreign nationals or person with impaired senses, the police officers must inform their rights in the manner understood by them or thru an interpreter if practicable.

h. All arrested suspects must be handcuffed. Should there be shortage of handcuffs, suspects' hands must be bound by any restraining material. In case of children in conflict with law (CICL), they shall not be handcuffed unless there is a valid reason to restrain them.

i. The team leader must see to it that all pieces of evidence from the suspect/ s or those found in the area of operation are handled in accordance with Section 6 of this Manual.

j. Upon return of the operating personnel to their station, the duty desk officer must record the time and date of return, name/s of the arrested person/s, and other significant circumstances that transpired during the operation.

Section 13. Handling, Custody and Disposition of Drug Evidence

a. In the handling, custody and disposition of the evidence, the provision of Section 21, RA 9165 and its IRR shall be strictly observed.

b. Photographs of the pieces of evidence must be taken upon discovery without moving or altering its position in the place where it is situated, kept or hidden, including the process of recording the inventory and the weighing of dangerous drugs, and if possible under existing conditions, with the registered weight of the evidence on the scale focused by the camera, in the presence of persons required, as provided under Section 21, Art II, RA 9165.

c. The seizing officer must mark the evidence with his initials indicating therein the date, time and place where the evidence was found and seized. The seizing officer shall secure and preserve the evidence in a suitable evidence bag or in an appropriate container for further laboratory examinations.

d. Where the situation requires urgent action, suspected drug evidence acquired may be “field-tested” using a drug test kit. If the result is positive this will be the basis of the seizure and the conduct of further drug analysis.

e. Containers, packaging, equipment, etc., suspected of containing trace amounts of drugs including controlled precursors and essential chemicals will be considered drug evidence and shall be submitted for analysis.

f. In every negation operation, a “seizing officer” shall be designated who shall be responsible for the inventory and initial custody of all drug and non-drug evidence during the anti-drug operations. These will later be turned over to the investigation officer or any member of the apprehending team, as the case may be, up to the Crime Laboratory for laboratory examination and proper disposition.

g. Cellphones, Computers/laptops or any other electronic equipment or gadgets shall be properly preserved for evidentiary purposes and technical exploitation.

A- Drug Evidence

a. Upon seizure or confiscation of the dangerous drugs or controlled precursors and/or essential chemicals (CPECs), laboratory equipment, apparatus and paraphernalia, the operating unit's seizing officer/ inventory officer must conduct the physical inventory, markings and photograph the same in the place of operation in the presence of:

- a. The suspect/s or the person/s from whom such items were confiscated and/or seized or his/her representative or counsel.
- b. A representative from the media.
- c. A representative from the Department of Justice; and
- d. Any elected public official who shall affix their signatures and who shall be given copies of the inventory.

b. For seized drugs covered by search warrants, the inventory must be conducted in the place where the search warrant was served.

c. In warrantless seizures like buy-bust operations, the inventory and the taking of photographs should be done at the nearest police station or office of the apprehending officer or team. However, the apprehending authority is not precluded from conducting the inventory at the place where the drugs were seized.

d. If the said procedures in the inventory, markings and taking of photographs of the seized items were not observed, (Section 21, RA 9165), the law enforcers must present an explanation to justify non-observance of prescribed procedures and “must prove that the integrity and evidentiary value of the seized items are not tainted.”

e. All the dangerous drugs and/or CPECs shall be properly marked for identification, weighed when possible or counted, sealed, packed and labeled. The items weighed in their gross weight, if already determined, should be noted on the inventory and chain of custody forms, or evidence vouchers.

f. Within the same period, the seizing/ inventory officer shall prepare a list of inventory receipt of confiscation/ seizure to include but not limited to the following:

1. Time, date and place of occurrence/seizure.
2. Identity of person/s arrested.
3. Identity of the seizing officer and all persons present.
4. Circumstances in which seizure took place.
5. Description of a vehicle, vessel, place or person searched where the substance was found.
6. Description of packaging, seals and other identifying features.
7. Description of quantity, volume and units and the measurement method employed.
8. Description of the substance found.
9. Description of any preliminary identification test (test kit) used and results.

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

h. All pieces of drug evidence shall be turned over by the seizing officer to the investigator on case who will subsequently turnover the same to the PNP Crime Laboratory for examination. Receipts shall be required in every phase of this turn-over.

i. The seizing officer shall accomplish the Chain of Custody Form with the affixed signatures which shall accompany the evidence turned over to the investigator-on-case or the Crime Laboratory as the case may be.

B- Non-Drug Evidence

a. All pieces of non-drug evidence shall be photographed, inventoried and properly marked as required under Section 21, RA 9165:

1. Buy-bust money, if applicable.
2. For motor vehicles, a sticker containing pertinent information (name of suspects, date and time of arrest, arresting unit, and arresting officers) shall be attached on area where it is most visible.
3. For firearms, ammunitions, explosives or other deadly weapons, tags containing the same information shall be attached.
4. Smaller pieces of evidence shall be placed inside the evidence bag on which written are the same data.
5. Cell phones, laptops, computers and other electronic gadgets, tags containing the necessary description shall be attached.

b. After the conduct of an anti-drug operation, the Investigator-on-Case shall immediately prepare a detailed report including photographs of all the seized/ confiscated non-drug evidence. As far as practicable, a lawyer from the Legal Service will be present to ensure that testimonies/information gathered can stand the scrutiny of law.

c. For seized/ confiscated motor vehicles, a Technical Inspection Report (TIR) shall be prepared by the Seizing Officer/Investigator-on-Case immediately after the seizure/confiscation. If possible, the suspect/occupant of the confiscated evidence shall be present during the conduct of the technical inspection and should affix his signature on the report.

C- Chain of Custody

a. The seizing officer must preserve the integrity and evidentiary value of the evidence.

b. The number of persons handling the **drug evidence** from the time it was seized/confiscated should be limited to the seizing officer, the investigator-on-case or any duly authorized member and PNP Crime Laboratory duly authorized personnel. Non-drug evidence shall be turned-over to the evidence custodian.

c. An acknowledgement receipt shall be issued by the person receiving the evidence. Such receipt shall form part of the case folder of the transmitting unit.

d. The seizing officer shall accomplish and sign the **chain of custody form** which shall accompany the evidence up to the PNP Crime Laboratory for examination.

Section 14. Airport and Maritime Interdiction Operations - The PNP-Aviation Security Group and Maritime Group shall establish their respective anti-illegal drug investigation section for purposes of airport and maritime drug interdiction respectively.

A- Airport Interdiction

a. In case of Airport Interdiction, the PNP AVSEGROUP shall make lateral coordination with the PNP-AIDSOTF and other government law enforcement units when necessary, regarding the conduct of **planned** anti-drug operations.

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

c. In domestic airports where there are no Bureau of Customs personnel, the PNP AVSEGROUP shall be the OPR both for the arriving and departing passengers and cargoes in connection with anti-drug interdiction operation.

d. In cases where dangerous drugs, CPECs, paraphernalia and equipment are discovered by the PNP AVSEGROUP in the person, baggage or luggage of any passenger, the rules and procedures prescribed under **In Flagante** cases of this Manual shall be observed.

e. Whenever available, drug detection devices or aids such as K-9 dogs will be used for the search of concealed illicit drugs in luggage, freight, containers, etc. The PNP AIDSOTF may be requested to provide assistance in identifying the drug or chemical contrabands as well as in handling drug evidence.

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

B- Maritime Interdiction

a. In case of maritime interdiction, the PNP MARITIME GROUP shall make lateral coordination with PNP-AIDSOTF and other government law enforcement units when necessary, regarding the conduct of planned anti-drug operations.

b. The PNP MARITIME GROUP, in anti-drug interdiction operation shall strictly observe the provisions of **PNP MARITIME GROUP Seaborne Coastal Law Enforcement Procedures** and this Manual in implementing RA 9165.

c. Maritime Interdiction operations shall be conducted in any of the following circumstances:

1. Contraband being brought aboard a vessel travelling in Philippine waters towards off-loading or landing area.
2. Contraband being transferred to and from vessels at sea (mother-ship operation).
3. Contraband being brought from vessels close to shore preceded by signaling between vessels and the coast.
4. Contraband being brought aboard inflatable boats and small-crafts moving offshore at high speed (especially at night).
5. Craft anchored or off-loading contraband on remote areas of coastline.

d. The participating agencies/units, if practicable, shall be deployed at their designated area of responsibility. In case the drug traffickers change their drop-off points, the PNP-AIDSOTF shall redeploy the supporting units/ agencies (PNP MARITIME GROUP, PNP territorial unit) in other locations.

e. Coordination and assistance from the nearest PNP territorial unit and other armed services where necessary shall be made by the unit concerned deployed at their area of jurisdiction.

f. The following are the actions to be undertaken in case the target foreign or local ship was detected, and stopped for boarding by the PNP MARITIME GROUP:

1. The members of the boarding team shall board and secure the ship and the suspects.
2. The evidence collection team will then board the ship to gather pieces of evidence taking into consideration the rules on evidence collection and preservation.

3. The ship shall be anchored at the nearest seaport for proper inventory of seized items in accordance with the requirements under Section 21, RA 9165.
4. In the absence of the required witnesses during the inventory, the available team leaders of the participating team should witness the proper inventory of the seized items.
5. Conduct follow-up operations, if necessary.

g. The following are the actions to be undertaken in case target ship was not located:

1. Coastal and beach search patrols shall be conducted at the probable landing points to seize the illegal drug and arrest the drug traffickers.
2. Mobile checkpoints shall be conducted at the probable escape routes of the drug traffickers.
3. In case the drug traffickers are intercepted, the seized drugs and arrested personalities shall be brought to the nearest secure place or area, preferably to a police station, for physical inventory of the evidence and investigation of the arrested suspects.

h. In cases where dangerous drugs, CPECs, paraphernalia and equipment are discovered by the PNP MARITIME GROUP in the person, effects, baggage or luggage of any passenger or crew of the vessel or inside the ship or vessel, the rules and procedures prescribed under **In Flagrante** cases of this Manual shall be observed.

Section 15. Responsibility of other PNP National Operating Support Units (NOSUs) - In their normal police functions, PNP National Operating Support Units may conduct arrest and seizure operation in consonance with the provisions of Section 5, Rule 113 and Section 13 Rule 126 of the Rules of Court. In the investigation and subsequent filing of cases, the rules provided under Section 25 of this Manual on ***In flagrante delicto*** cases shall be observed.

Section 16. Handling of Information on High Profile Targets - All information received by PNP Units involving high-profile targets (HPT), clandestine laboratories, CPECs warehouses and storage facilities shall be referred to PNP-AIDSOTF for the conduct of joint case-build up and negation operation.

Section 17. Observance of the Constitutional Rights of the Suspect/Accused – All PNP member/Anti-Illegal Drug Units before making any arrest, detention, and investigation shall appraise the suspect/s or accused of their constitutional rights, with emphasis on their rights to remain silent and to counsel as required by R.A. 7438 and Rule 113 of the Rules of Court.

Section 18. Prohibition to PNP member – No PNP member shall be allowed to conduct a planned anti-illegal drug operation unless he is a member of an authorized anti-drug unit.

RULE III-SPECIFIC RULES AND PROCEDURES – This rule covers the procedures in any planned or unplanned anti-illegal drug operation and investigation:

I – PLANNED OPERATIONS

Section 19. Buy-Bust Operation- All warrantless arrest, search, and seizures to be undertaken by PNP member/anti-drug units shall be in accordance with Section 5, paragraphs (a) and (b), Rule 113, Section 13, Rule 126 of the Rules of Court, respectively and relevant Supreme Court Decisions.

A- PRIOR TO BUY-BUST

a. The Team Leader shall see to it that prior reports have been submitted which may include but not limited to the following classified reports:

1. Summary of Information of the target/s
2. Special Reports
3. Surveillance Report
4. Contact meeting report
5. Development report

b. If necessary, a test buy may first be conducted. If there's any, the dangerous drugs purchased shall be photographed, marked, packaged, sealed and submitted to PNP Crime Laboratory for examination. The PNP CRIME LABORATORY shall issue a laboratory result for the purpose.

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

d. Preparation of the prior coordination with PDEA **as far as practicable** and the territorial police units.

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

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

g. The Team Leader shall ensure that he has the contact numbers of the representatives from DOJ, Media and any local elected officials in the area for inventory purposes as required under Section 21, RA 9165.

h. The Team Leader shall conduct a briefing emphasizing the role of every member and on the agreed pre-arranged signal to be executed by the poseur-buyer once the sale of dangerous drugs has been consummated.

i. The team composition and their functions may include the following:

1. **Team Leader** – a police officer, preferably a PCO, responsible for leading his team in the conduct of case build-up, raid, arrest, investigation, filing and monitoring of the case.
2. **Assistant Team Leader** (Optional) – a police officer responsible for giving assistance to the Team Leader and for assuming all the responsibilities in the absence of the Team Leader.
3. **Poseur Buyer** – a police officer who is designated to pretend to be a civilian buyer of dangerous drugs for purposes of effecting the arrest of the offender.
4. **Arresting Officer** - a police officer responsible for the apprehension of the suspect/s.
5. **Investigator-On-Case** – a police officer responsible in the investigation, gathering of evidence and the preparation of documents for purposes of inquest or direct filing of the case before the prosecutor's office.
6. **Seizing/Inventory Officer** – a police officer who is designated to seize and inventory the evidence from arrested suspects/s.
7. **Back up security** – a police officer responsible as security to the raiding team to prevent and control the entry and exit of all persons in the place of operation.
8. **Recorder** – a police officer responsible for recording the events/incidents that transpired during the conduct of the anti-drug operation.

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

B- BUY-BUST PHASE

a. The poseur-buyer should ensure that the suspect delivers the dangerous drugs or accepts the marked or dusted money before giving the pre-arranged signal for the arrest. In the pre-positioning of the team members, the designated arresting and/or back-up elements should observe the negotiation/transaction between the suspect and the poseur-buyer. The back-up elements should be strategically positioned to secure the area.

b. Upon the execution of the pre-arranged signal, the designated arresting officers shall arrest the suspect/s. They shall introduce themselves as police officer to the suspect/s.

c. The arresting officers shall inform the arrested suspect/s of his/her CONSTITUTIONAL RIGHTS in a language understandable to him. (I/We are police officers I/we are arresting you for violation of RA 9165. You are hereby informed that you have the right to remain silent 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/***Kami ay mga pulis, inaaresto ka namin sa paglabag ng RA 9165. 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).***

d. After the arrest, the arresting officers shall search the body of the suspect for the recovery of the buy-bust money and/or deadly weapon.

e. The seizing officer shall immediately seize and take initial custody of the dangerous drugs.

f. The seizing officer shall thereafter conduct the actual physical inventory, place markings and photograph the evidence in the place of operation in the presence of:

1. The accused or the person/s from whom such items were confiscated and/or seized or his/her representative or counsel;
2. A representative from the media;
3. A representative from the Department of Justice; and
4. Any elected public official (at least Brgy Kagawad) who shall sign, and shall be given copies of the inventory.

(Note: The presence of the above-mentioned witnesses shall only be required during the physical inventory of the confiscated items.)

g. In warrantless searches and seizures like buy-bust operations, the inventory and taking of photographs shall be made where the evidence or items were confiscated to properly preserve the integrity and evidentiary value of the evidence. In case of failure to do so, the conduct of inventory may be made at the nearest police station or office of the apprehending officer or team, however, they must execute a written explanation to justify non-compliance of the prescribed rules on inventory under Section 21, RA 9165. Thereafter, the arresting/seizing officer shall turn-over the arrested suspects as well as the seized articles or items of evidence to the Investigator-On-Case who shall be required to issue an acknowledgement receipt of the turnover.

h. The Investigator-On-Case in coordination with the seizing officer shall submit the seized dangerous drugs to the PNP Crime Laboratory for examination and analysis and the arrested suspects for Physical/Medical examination and drug testing.

C- AFTER BUY-BUST PHASE – After the conduct of BUY-BUST OPERATION the following shall be strictly observed:

a. The Investigator-On-Case shall prepare the **Case Referral** to the prosecutor's office for inquest proceeding for violation of Section 5, Art II, RA 9165 and attach the following:

1. Copy of the Spot Report
2. Copy of the Inventory of Property Seized duly verified under oath
3. Copy of the Request for and Result of Laboratory Examination of seized items
4. Copy of the Request for and Result of Physical/Medical Examination and drug test of the suspects
5. Copy of the Request for and Result of ultra violet examination on the buy-bust money used and the suspect
6. Affidavit of Arrest executed by the arresting officer
7. Affidavit of Poseur buyer to be prepared by the poseur buyer
8. Copy of the Initial drug test result
9. Copy of the Receipt of Turn-Over of Evidence
10. Copy of the Receipt of Turn-Over of the arrested suspects
11. Duly accomplished Booking sheet and arrest report
12. Photographs of the suspect/s and evidence

b. The Investigator-On-Case shall bring the arrested person together with the arresting personnel, seizing officer or other witnesses and the pieces of evidence to the prosecutor's office for inquest proceeding.

c. After inquest, the Investigator-On-Case may ask the Court for the issuance of Commitment Order for turn-over of the arrested person/s to the Jail Warden for custody pending trial of the case attaching a copy of the case disposition

by the Inquest Prosecutor/MTC Judge, Booking Sheet and Medical Examination Certificate of the suspect.

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

d. Thereafter, the Investigator-On-Case shall submit **After-Inquest Report** to the chief of the office and furnish the PDEA a copy of the case folder and shall regularly update the latter with the status of the case.

e. The Investigator-On-Case and the arresting officers respectively shall maintain a **Case Tracking/Monitoring System** or **Record of the Case** and shall inform in writing his immediate officer and the higher office if the case is dismissed or the suspect/s is released for further investigation by the prosecutor.

f. The Chief of Office shall ensure that all police witnesses shall religiously attend and testify in court during the trial and shall require them to secure a **Certificate of Appearance** from the Court and to submit **After Court-Duty Report**.

Section 20. Search and Seizure by virtue of Warrant - the following rules and procedure shall govern the responsibility of anti-drug units in the application and implementation of a search warrant.

A – BEFORE THE APPLICATION FOR A SEARCH WARRANT

a. The Team Leader shall see to it that prior data/information have been acquired and reduced into classified reports which may include but not limited to the following, to wit:

1. Summary of Information
2. Contact Meeting Report
3. Surveillance/Casing Report
4. Development Report

b. Once the identity, movements, activities and location of the suspect/s are established, a test-buy shall be undertaken, if necessary, or a sample may be obtained from the suspect by an operating team to test the genuineness of the dangerous drugs in the possession of the target personality.

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

d. Laboratory examination shall be requested and the pieces of evidence obtained in the test-buy operation shall be submitted to the PNP Crime Laboratory. If the result of the laboratory examination turns out to be positive for dangerous drugs and/or CPECs, the deposition of two (2) witnesses who have reasons to believe that the crime is being committed by the subject personalities, shall be prepared and the application for the issuance of the search warrant shall be made. (Rules on Criminal Procedure, Rule 126).

e. All applications for a Search Warrant before the **LOCAL COURTS** shall be approved by the Regional, Provincial, District, City Directors, Chief of Police and NOSU Directors as the case maybe, or their duly designated authority. However, if there is reasonable ground to believe that the application in the local courts shall compromise the operation, the applications for SW for violation of RA 9165 may also be filed before the Executive Judges of Manila and Quezon City as the case maybe with the personal endorsement of the **C, PNP or TDIDM** as provided for under **Supreme Court A.M. No 08-4-4-SC, dated July 7, 2009**.

f. The application shall contain the following data:

1. Office applying for the Search Warrant
2. Name and signatures of applicant, deponent-witnesses and approving authority
3. Name of the subject/aliases
4. Nature of the offense
5. Exact Address of place to be searched
6. Specific statement of facts and items to be seized. If necessary, indicate specific facts that would justify the service of the search warrant other than day time
7. Sketch and pictures of the place to be searched
8. Description or pictures of subject persons if available

g. Upon approval by the chief of office concerned, the application shall be filed with the court of jurisdiction during office hours. However, the application may be filed after office hours, during Saturdays, Sundays and holidays provided the applicant shall certify and state the facts under oath, to the satisfaction of the Judge, that its issuance is urgent as provided under **Supreme Court Administrative Circular No 19 dated August 4, 1987**. In view of this, the concerned units are encouraged to coordinate with and acquire the addresses and contact numbers of the Judges in their respective jurisdictions.

h. Upon issuance of the Search Warrant, the Team Leader shall inform the chief of office of its implementation. The unit which has acquired a warrant must inform the PNP-AIDSOTF for monitoring purposes.

B- DURING THE SERVICE OF SEARCH WARRANT

a. A search warrant must be served by a team of the police unit concerned within ten (10) days (otherwise it shall be void) from its issuance in the exact place as indicated. Before engaging in any type of search and seizure operation, a review of the provisions of Rule 126 of The Revised Rules of Criminal Procedure and PNP Operational Procedure shall be conducted.

b. Things or personal properties not specifically indicated or particularly described in the search warrant shall not be taken unless illegal or prohibited per se.

c. Implementation or service of Search Warrant shall be under the supervision of either the Team Leader, Chief of Office or Ground Commander as the case may be.

d. An **Operating Team** (SAF, RMG, PMG, SWAT, EOD, etc), regardless of its size, should be organized with different taskings to ensure the successful conduct of anti-drug operations. The following are the different taskings:

1. **Supervisor** – Acts as the Team Leader, Chief of Office or Ground Commander; ensures the orderly and proper conduct of searches and seizures.
2. **Entry Team** – To neutralize armed elements inside the target area and arrest any suspect who may be found.
3. **Searching and Investigating Team** – Is composed of police officers tasked to perform functions like Seizing, Inventory, Recording, Photograph-documenting, and Investigating for the purpose of securing the crime scene, seize, confiscate, inventory, record and photograph all evidence, items, and articles described in the search warrant which may be found in the exact area of operation.
4. **Perimeter/Security Team** – The team usually employs the most number of personnel especially in heavily populated areas. The team's purpose is to seal the outer boundary of the operational area and establish crowd control. With the outer boundary sealed off, the possibility that the curious public will hinder officers participating in the service of the warrant is reduced. Members of the perimeter team control onlookers who could interfere with the operations and bystanders who might place themselves in danger. The team should be ready to evacuate persons from the area and set-up additional crowd control measures when require. The team

must also be ready for pursuit operations when needed and are tasked to handle traffic control and direction when necessary. The unit size will largely depend on the operational area.

5. **VIP/MEDIA Handling Team** – Responsible for the management of the entry and exits of VIP, MEDIA and authorized officials in the area of operation in coordination with the **Supervisor** and the **Site Safety Control Officer**. He/she shall record the names, positions, addresses, and the purpose of their visit as well as his/her advice or action taken for the purpose.
6. **Processing/SOCO Team** - The team that undertakes the collection, documentation and forensic examination of collected physical evidence with the end view of establishing facts relative to a crime scene. The SOCO team is mandatory when the subject of the search warrant is a clandestine laboratory, chemical warehouses or storage facility. The SOCO Team compositions are as follows:
 1. **Team Leader** – establishes and maintains site control; manages the processing of the crime scene and coordinates all functions of the SOCO members; coordinates with other law enforcement agencies as needed; responsible for the consolidation of laboratory reports and other SOCO documents relative to the case.
 2. **Site Safety Control Officer – an officer (preferably a chemist)** who has undergone training in Clandestine Lab Site Safety and Emergency Procedures. Together with the Forensic Chemist, he/she will conduct initial assessment of the scene, determine the level of protective equipment necessary for the processing; ventilate and render the area safe. He/She will monitor the well being of team members and constantly assess and identify hazards and/or potential dangers; and safeguard against them to prevent injury or illness. He/she shall be responsible for cautioning the operating team, VIPs, MEDIA, DOJ or Court Officers and others, regarding the hazards of the CPECs and the prevailing situation for their safety.
 3. **Forensic Chemist** – will conduct initial assessment of the scene, shutdown chemical reactions, conduct inventory of items in the scene, conduct field testing and sampling of the specimens and identifies which pieces of evidence will be brought to the laboratory for further analysis.

4. **Evidence log recorder/custodian** – records items processed in the site and takes custody of pieces of evidence to be brought to the laboratory for examination.
5. **Photographer** – documents the macro and micro details of the laboratory using camera and video cam.
6. **Sketcher** – takes sketches and records key measurements in the crime scene.
7. **Fingerprint specialist** – lifts fingerprints found in the crime scene.
8. **Driver/Security** – ensures no unauthorized or unnecessary access to the scene and provides physical security to the SOCO elements and equipment.

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

e. All information regarding the proposed search and seizure operations should be disseminated on a need-to-know basis. The operational plan for the search and seizure operations should be kept among the immediate members of the team. The following should be observed during the **Pre-Search and Seizure Operations Briefing** conducted on the day of the implementation of SW:

1. The Team Leader shall conduct initial briefing and assign the different tasking to each member without mentioning the identities of the subject and description and location of the target place.
2. In cases where there are several units involved in the operation, the Ground Commander should be designated and brief the team leaders. Sequentially, all the team leaders should brief their own team members in detail as to their specific tasking. A command post shall be established strategically for the purpose.
3. Prior entry assignments should be given enough consideration and explanation which includes:
 - i) Custody and handling of evidence;
 - ii) Custody and handling of arrested suspects;
 - iii) Custody and handling of seized vehicles;
 - iv) Custody and Handling of minor suspects;

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

B.1 - ENTRY STAGE

a. Based on the tasking, the entry team shall immediately enter and secure the area. Then the search team shall enter and take control. The perimeter/security team shall establish a police line.

b. The team leader shall read, explain and furnish a copy of the search warrant to the suspect/s or occupant/s in the presence of at least two (2) witnesses preferably elected officials or responsible persons in the area.

c. In case of resistance, the entering group shall subdue the suspect/s with the use of necessary and reasonable force, e.g., breaking open any barrier of a house or any part of a house after the agents have given a loud and clear notice of the authority and purpose (e.g. "We are Police Officers. We have a warrant to search these premises" or "*Kami po ay mga pulis at merong kautusan na maghalughug sa iyong nasasakupan*") and have waited for a reasonable amount of time for the occupant to open the door.

B.2 – SEARCH PROCEDURE

a. The searching team and the required witnesses shall enter the premises and shall perform the following:

1. Each subject of the SW/Occupant should be properly identified and frisked for weapons. They shall at all times be present in the conduct of the search. Thereafter, they shall be placed in a secured place.
2. In all cases, the search must be witnessed by the subject of the SW and in the presence of at least two (2) responsible persons in the vicinity, preferably elected officials.
3. Only those personal properties particularly described in the search warrant shall be seized, to wit:

- i. Properties that are subject matter of the offense; (*Dangerous drugs, Controlled Precursors and Essential Chemicals (CPECs), Laboratory equipment, apparatus and paraphernalia*);
- ii. Properties that are stolen or embezzled and other proceeds or fruits of the offense;
- iii. Properties used or intended to be used in the commission of an offense;
- iv. Properties or items/ objects which are illegal per se, e.g. firearms and explosives; and
- v. Those that may be used as proof of the commission of the offense. (*Documents, Bankbooks, titles, Certificate of registration, etc which can be used as evidence in so far as the Anti Money Laundering Case is concerned*)

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

c. The photographer shall take photographs of the search made in the presence of the arrested suspects and the witnesses.

d. Thereafter, the photographer shall take photographs of the actual physical inventory and the markings of the items or articles seized in the presence of the arrested suspect/s and the representative from the Department of Justice, Media and any elected officials as required under Section 21, RA 9165.

e. 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 and must be given a copy of the receipt of seized items/property. If the suspect or occupant of the premises refuses to sign the documents, his/her refusal therein must be indicated. (Refer to Annexed format documents).

B.3 – INVENTORY OF SEIZED ITEMS

a. The seizing officer shall immediately take possession of all items or articles seized as evidence or taken into custody for proper disposition.

b. In case of clandestine laboratories, chemical warehouses or storage facilities, the CPECs or other property seized as evidence should be properly accounted and listed in the receipt of inventory and should be attached to the search warrant. Each article seized will be described in the inventory list as completely as possible indicating the physical description, the location where it was found, time, date and the seizing officer's name.

c. Upon seizure or confiscation of the dangerous drugs or controlled precursors and/ or essential chemicals (CPECs), the seizing officer shall conduct the actual physical inventory, take photographs and mark the same in the presence of:

1. The arrested suspect/s or the person/s from whom such items were confiscated and/or seized or his/her representative or counsel.
2. A representative from the media.
3. A representative from the Department of Justice (must be Prosecutor).
4. Any elected public official.

d. The seizing officer shall issue a detailed inventory receipt of the things/ articles seized to the person in whose possession it was found and the witnesses as required under Section 21, RA 9165.

C - AFTER THE SEARCH/RETURN OF THE SW

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

b. In case of clandestine laboratory, the SW applicant or the team leader shall immediately call the issuing judge and inform him about the result of the implementation of the SW and seek its approval for subsequent turn over of the seized evidence to the Investigator-On-Case or to PNP Crime Laboratory as the case may be. **(Section 12, Rule 126, Rules of Court).**

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

c. Upon approval of the court, the seizing officer, in coordination with the Investigator-On-Case, shall turn-over the seized evidence to PNP Crime Laboratory for examination and proper disposition. The Investigator-On-Case shall prepare the referral to the PNP Crime Laboratory for examination.

d. The arrested suspect/s shall be brought to the office of the operating unit and shall, be turned over to the Investigator-On-Case for investigation, documentation and appropriate action.

e. The Investigator-On-Case shall bring the arrested suspects to PNP Crime Laboratory for Drug Test and Physical/Medical Examination.

f. The Investigator-On-Case shall secure and collate all the result of the Laboratory and Medical Examination for attachment on the case referral to the prosecutor for inquest proceedings.

g. In case where the arrested suspect/s are foreign nationals, the Investigator-On-Case shall make formal communication to the Embassy concerned, Bureau of Immigration and other concerned government agencies such as (AMLC, NBI, etc).

C.1 - CASE REFERRAL

a. The Investigator-On-Case shall prepare the case referral for **inquest proceeding** before the Prosecutor's Office with the following attachments:

1. Copy of the Search Warrant
2. Copy of the prior coordination form to PDEA (*as far as practicable*)
3. **Copy of the Spot Report received by PDEA**
4. Copy of the Receipt of the Inventory of items seized/ confiscated duly verified under oath
5. Copy of the Certification of Orderly Search
6. Photograph of the crime scene
7. Copy of the Receipt of Turn-Over of Evidence
8. Copy of the Receipt of Turn-Over of the arrested suspects
9. Copy of the request for and results of the Laboratory, Drug Test and Medical Examination on the Drugs and the suspect/s.
10. Copy of the Booking Sheet and Arrest Report
11. Photographs of the evidence seized and the suspect/s
12. Copy of the Affidavit of Arrest
13. Copy of the Affidavit of Seizing Officer
14. Affidavit of other witnesses, if any
15. Others that may be submitted later

b. In cases where there is **no arrested suspect**, the Investigator-On-Case shall prepare the case referral to the Prosecutor's Office for **appropriate legal action** with the following attachments:

1. Copy of the Search Warrant
2. Copy of the prior coordination form to PDEA (***as far as practicable***)
3. Copy of the Spot Report received by PDEA
4. Copy of the Receipt of the Inventory of items seized/ confiscated duly verified under oath
5. Copy of the Certification of Orderly Search
6. Photograph of the crime scene
7. Copy of the Receipt of Turn-Over of Evidence
8. Copy of the request for and results of the Laboratory on the Drugs.
9. Photographs of the evidence seized
10. Copy of the Affidavit of Seizing Officer
11. Affidavit of other witnesses, if any
12. Surveillance Report
13. Cartographic Sketches/Descriptions of suspect/s if any,
14. Others that may be submitted later

C. 2 - AFTER THE FILING OF THE CASE

a. The applicant shall make a return of the search warrant to the issuing court after the filing of the case.

b. The Investigator-On-Case shall submit an after inquest report or progress report to the chief of office.

c. The Investigator-On-Case shall furnish PDEA of the copy of the case folder with complete attachment.

d. The operating unit shall regularly update the PNP-AIDSOTF, DO and PDEA with the status of the case.

e. The Investigator-On-Case and the arresting officers respectively shall maintain a case tracking/monitoring system or record of the case and shall inform in writing his immediate officer and the higher office if the case is dismissed or the suspect/s is released for further investigation by the prosecutor.

f. The Chief of Office shall ensure that all police witnesses shall religiously attend and testify in court during the trial and shall require them to submit after court-duty report.

Section 21. Marijuana Eradication

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

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

c. In cases where armed suspects are sighted in the plantation site, the assault team composed of PNP SAF, RMG or PMG as the case may be, shall be deployed to neutralize them before the anti-drug team shall be deployed in the area.

d. The apprehending team shall immediately effect the arrest of any person found therein.

e. Thereafter the team shall proceed with the manual eradication of illicit plants. Uprooted and/or cut plants shall be brought to a designated area for destruction.

f. Under close direction and supervision, the team shall welcome the voluntary participation of Barangay residents in uprooting or cutting of the plants. Otherwise, they shall seek the cooperation of the Barangay Captain to generate a hired-labor force from among the residents in the Barangay, if budget is available.

g. All uprooted plants, seedlings and leaves must be destroyed and burned in the plantation site in accordance with the provision of **Section 21 RA 9165**, its **IRR and DDB Regulations**. The PNP Crime Laboratory shall take only substantial representative samples allowed by the rules for evidentiary purposes.

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

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

Section 22. Financial Investigation

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

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

1. Bank accounts records (Bank statements, deposit slips, encashed checks, credit card monthly billings, debit/credit memos, wire transfers, cashier's checks, foreign exchange sold);
2. Business records (Articles of Incorporation/By-Laws, board minutes, stock record books);
3. Deed of conveyances (Deed of Sale, Deed of Donation, Deed of Transfer, etc);
4. TCTs, ORs/CRs of vehicles;
5. Payment of bills, purchase of materials, stock certificates; and
6. Anything that will show that the money went into financial institutions or where the money went/spent and where it came from.

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

Section 23. Controlled Delivery

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

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

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

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

Section 24. Clandestine Laboratory

A – CLANDESTINE LABORATORY HAZARDS

a. Many clandestine laboratory operators use the drug they manufacture and may be extremely paranoid. Handguns and assault rifles are weapons of choice for them.

b. The operating team should be well protected from dangers of toxic chemicals and must approach all clandestine laboratory situations with the assumption that there are booby traps in the sites. There are different types of these devices.

c. Chemical hazard is the most prevalent hazard common to all clan labs. The presence of chemicals in a clandestine laboratory operation is an immediate threat to law enforcement officers wherever the laboratory or storage facility is found.

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

B – GUIDELINES ON INVESTIGATION OF CLANDESTINE LABORATORY AND STORAGE FACILITY

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

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

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

C- PRESERVATION OF CLANDESTINE LABORATORY EVIDENCE

a. After a PNP anti-drug unit has successfully seized a clandestine laboratory, it shall ensure that the pieces of evidence are properly preserved. It shall strictly observe the following measures:

1. All pieces of evidence shall be handled and processed appropriately having in mind the possibility of lifting latent prints.
2. Any evidence on hand shall not be moved unless first photographed or videotaped. The photograph or videotape shall contain the date/ time, sequence, and caption including a complete description of the vehicle, location, etc. The film shall be restored properly as evidence.
3. Once the pieces of evidence have been processed, the bulk chemicals and any contaminated laboratory hardware, including glassware's, shall be preserved in the clandestine laboratory until after the ocular inspection by the court.
4. All documents found in the laboratory shall be preserved in their totality. They shall also be examined for fingerprints.
5. In case of possible actual environmental leakage of chemicals in the laboratory or any incident that would endanger public health and safety, guidelines developed by the DOH and DENR as per Republic Act 6969 shall be followed.

D – POST INVESTIGATION OF DISMANTLED CLANDESTINE LABORATORY

a. When a clandestine laboratory is dismantled, investigators should conduct back tracking investigation on the dangerous drugs, controlled precursor and essential chemicals found in the laboratory:

1. Collect all documents for paper trail examination and indicators that might lead to identification of those involved, the origin of the chemicals, and how it was obtained and brought to the country (diversion or smuggling through the port or coastal areas).
2. Examine controlled chemical containers for labels and markings to determine manufacturer and country of source or origin.
3. Conduct post arrest interview on the suspect/s to elicit further useful information such as who obtained the controlled chemical and when, where and how it entered the country.

II. UNPLANNED OPERATIONS

Section 25. – In Flagrante Delicto Cases – Are acts committed in violation of RA 9165 subject for warrantless arrest, search, and seizure which is classified in this Manual as unplanned operation with the exception of cases enumerated under planned operation.

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

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

b. The following procedures shall be observed by the PNP member or anti-illegal drug units, in the enforcement of warrantless arrest under Section 5, Rule 113 and Section 13, Rule 126 of the Rules of court, to wit:

1. The apprehending team shall immediately arrest the person found to be violating in ***flagrante*** the provisions of RA 9165.
2. The dangerous drugs, CPECs, paraphernalia and equipment as the case may be, shall be immediately seized and taken into custody of the apprehending team.

3. The seizing officer shall, as far as practicable, conduct the actual physical inventory, take photographs and properly mark the items or articles seized or confiscated in the place of seizure and in the presence of the arrested person/or his counsel or representative and representatives from the Department of Justice, MEDIA and any elected government officials who shall be required to sign on the inventory and given each a copy thereof. However, the apprehending team may conduct the actual physical inventory and the taking of photographs of the items seized in the nearest police station or the office of the apprehending team in the presence of the arrested suspect and the representative required by law provided that they shall justify the reason thereof. (***refer to the rule on chain of custody***)
4. The seizing officer shall submit the seized or confiscated items to the nearest PNP Crime Laboratory for examination and analysis;
5. The arresting officer shall bring the arrested suspects to their office for proper custody, documentation and proper disposition.
6. The arrested suspect/s shall be presented to the PNP CL for physical, medical examination and drug testing.
7. The assigned Investigator-On-Case shall collate the results of the examinations, prepare the appropriate charges and refer the case to the prosecutor's office for inquest proceedings. He shall submit the following:
 - a. Copy of the Spot Report duly received by PDEA
 - b. Copy of the Receipt of the Inventory of items seized/ Confiscated duly verified under oath
 - c. Photograph of the crime scene
 - d. Copy of the Receipt of Turn-Over of Evidence
 - e. Copy of the Receipt of Turn-Over of the arrested suspects
 - f. Copy of the request for and results of the Laboratory, Drug Test and Physical/Medical examination on the Drugs and the suspect/s
 - g. Copy of the Booking Sheet and Arrest Report
 - h. Photographs of the evidence seized and the suspect/s
 - i. Copy of the Affidavit of Arrest
 - j. Copy of the Affidavit of Seizing Officer
 - k. Affidavit of other witnesses, if any
 - l. Others that may be submitted later

8. The Investigator-On-Case shall thereafter submit a report to the Chief of Office.
9. The Investigator-On-Case shall furnish the PDEA with a complete set of the case folder and regularly update the same with the status of the case.
10. The Chief of Office and the Investigator-On-Case shall maintain a case monitoring system or record of the case and shall ensure the religious presence of the PNP witnesses during court proceedings/ trial to insure the conviction of the accused.

RULE IV – PENAL AND ADMINISTRATIVE SANCTION

Section 26. Criminal Offenses – In addition to criminal liability which may be incurred for violations of existing penal statute, the following person shall be charged under RA 9165:

a. A PNP personnel shall be held commit the following acts:

- a. Misappropriation**
- b. Misapplication**
- c. Failure to account**

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

b. Any PNP Officer who commits ***“planting of evidence”*** involving any dangerous drugs and/or controlled precursor and essential chemical, regardless of quantity and purity. **(Sec. 29, RA 9156)**

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

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

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

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

Section 27. Administrative Offense – In addition to criminal liability that may be incurred, any PNP member found to have been violating paragraphs (a) to (f) of Section 26 hereof, shall be held administratively liable after the conduct of Summary Dismissal Proceedings for Grave Misconduct before the proper PNP Disciplinary Authorities in accordance with NAPOLCOM MC 2007-001 or other issuances amending or modifying the same.

RULE - V MISCELLANEOUS PROVISIONS

Section 28. Observance of Allied Laws, Rules, and Regulations.

a. In cases involving **Child in Conflict with the Law (CICL)**, The PNP and NAPOLCOM Manual on the Management of cases of children in conflict with the law shall be strictly observed.

b. All PNP member shall strictly observe and adhere to all existing Regulations issued by the Dangerous Drugs Board pursuant to Sec 32, R.A. 9165.

RULE VI – FINAL PROVISIONS

Section 29. Repealing Clause – All publications, manuals and directives inconsistent with this manual are hereby amended, repealed, and modified accordingly.

Section 30. Effectivity Clause – This Manual Anti-Illegal Drug Operations shall take effect upon the approval of the Chief PNP with the concurrence of the NAPOLCOM en banc.

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
Makati City

RESOLUTION NO. 2010 - 094

**APPROVING THE PNP MANUAL ON ANTI-ILLEGAL DRUGS
OPERATION AND INVESTIGATION**

WHEREAS, Section 14 of Republic Act No. 6975, as amended, provides that the National Police Commission (NAPOLCOM) shall exercise administrative and operational supervision over the Philippine National Police (PNP);

WHEREAS, the PNP submitted for consideration of the Commission the PNP Manual on Anti-Illegal Drugs Operation and Investigation;

WHEREAS, the said Manual shall provide PNP personnel with set of standard rules and procedures necessary in the conduct of anti-illegal drugs operation and investigation to include the different standardized forms for search warrant and buy-bust operations;

WHEREAS, the protocols established in the said manual are products of the collective experience of field commanders, operatives, investigators and prosecutors involved in law-enforcement to effectively address the challenges of the field and the realities at the ground-levels of policing;

NOW THEREFORE, the Commission, pursuant to its constitutional mandate to administer and control the PNP, **HAS RESOLVED TO APPROVE, AS IT HEREBY APPROVES**, the PNP Manual on Anti-Illegal Drugs Operation and Investigation. The attached copy of the subject Manual shall form part of this resolution.

RESOLVED FURTHER, that the PNP shall coordinate with the Philippine Public Safety College (PPSC) and Philippine National Police Academy (PNPA) for the subsequent inclusion of a module on the procedures for the conduct of anti-illegal drug operations and investigations in its Program of Instructions.

RESOLVED FURTHERMORE, that the PNP-AIDSOFT, through the Chief, PNP, shall submit monthly accomplishment report to this Commission for monitoring purposes.


RESOLVED EVEN FURTHERMORE, that members of the PNP who shall violate any of the rules and regulations embodied in the said manual shall be dealt with accordingly.

RESOLVED FINALLY, that should any provision of the PNP manual be subsequently declared unconstitutional, the other provisions not so declared shall remain in full force and effect.

ADOPTED, this 26th day of FEBRUARY 2010 in Makati City, Philippines.



RONALDO V. PUNO
Chairperson




EDUARDO U. ESCUETA
Commissioner
Vice Chairman and Executive Officer


LUIS MARIO M. GENERAL
Commissioner


LUISITO T. PALMERA
Commissioner


JESUS A. VERZOSA
Commissioner

Attested by:


ADEL MALYN A. MUNIEZA
Chief, Secretariat

UNLAWFUL ACTS

UNLAWFUL ACTS	ARTICLE II	FINE	IMPRISONMENT
Importation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals	Sec. 4	P500 T – P10 M	Life imprisonment to death
Sale, Trading, Administration, Delivery, Transport and Distribution of Dangerous Drugs and/or Controlled Precursors	Sec. 5	P500 T – P10 M	Life imprisonment to death
Maintenance of a Den, Dive or Resort	Sec. 6	P500 T – P10 M	Life imprisonment to death
Employees and Visitors of a Den, Dive or Resort	Sec. 7	P100T – P500 T	12 years & one (1) day to 20 years
Manufacture of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals	Sec. 8	P500T – P10M	Life imprisonment to death
Illegal Chemical Diversion of Controlled Precursors and Essential Chemicals	Sec. 9	P100T – P500T	12 years & one (1) day to 20 years
Manufacture or Delivery of Equipment and other Paraphernalia for Dangerous Drugs and/or Controlled Precursors and Essential Chemicals	Sec. 10	P100T – P500T	12 years & one (1) day to 20 years
Possession of Dangerous Drugs	Sec. 11	P500T – P10M	Life imprisonment to death
Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs	Sec. 12	P10T – P50T	Six (6) months & one (1) day to four (4) years
Possession of Dangerous Drugs During Parties, Social Gatherings or Meetings	Sec. 13	P500T – P10M	Life imprisonment to death
Possession of Equipment, Instruments, Apparatus and Other Paraphernalia for Dangerous Drugs During Parties, Social Gatherings or Meetings	Sec. 14	P10T – P50T	Six (6) months & one (1) day to four (4) years
Use of Dangerous Drugs		None for 1 st Offense	Six (6) months & one (1) day to four (4) years
	Sec. 15	P50T – P200T for 2 nd Offense	Six (6) years & one (1) day to 12 years for 2 nd offense
Cultivation or Culture of Plants Classified as Dangerous Drugs	Sec. 16	P500T – P10M	Life imprisonment to death
Failure to Maintain & Keep Original Records of Transaction on Dangerous Drugs and/or Controlled Precursors	Sec. 17	P10T – P50T	Six (6) months & one (1) day to four (4) years
Unnecessary Prescription of Dangerous Drugs	Sec. 18	P100T – P500T	12 years & one (1) day to 20 years
Unlawful Prescription of Dangerous Drugs	Sec. 19	P500T – P10M	Life imprisonment to death

REFERENCES:

- A. The 1987 Philippine Constitution.
- B. Republic Act No. 9165, otherwise known as “The Comprehensive Dangerous Drugs Act of 2002” and its IRR
- C. Republic Act 6975 as amended by RA 8551
- D. Republic Act 9160, otherwise known as the “Anti-Money Laundering Act of 2001 (AMLA)”, as amended and its IRR
- E. Republic Act No. 9344 or the “Juvenile Justice and Welfare Act of 2006” and its IRR
- F. Republic Act No 7438 – An Act Defining Rights of Person Arrested Detained or under Custodial Investigation
- G. Republic Act 8792 – E-Commerce Law
- H. Republic Act No 4200 Anti-Wire Tapping Law
- I. 1997 Revised Rules of Court on Criminal Procedure.
- J. Supreme Court Decisions, PP versus Sta. Maria, 516 SCRA 621.
- K. Supreme Court A.C. No 19, dated August 4, 1987.
- L. Supreme Court A.C. No 08-4-4-SC dated July 7, 2009
- M. All applicable DDB Regulations and Resolutions.
- N. Napolcom Memorandum Circulars
- O. PNP LOI Kontra Droga Bravo
- P. PNP Memorandum Circulars and Related Issuances
- Q. Police Operational Procedures Handbook
- R. PNP Crime Laboratory Standard Operating Procedure
- S. PNP Maritime Seaborne Law Enforcement Operational Procedures

- T. PNP Manual on the Management of Cases of Children in Conflicts with Law
- U. DOJ Related Opinions
- V. Memorandum of Agreement between PNP and PDEA
- W. PDEA Manual on Anti-Illegal Drug Operations
- X. Administrative Order No. 253 by the President of the Philippines dated January 29, 2009

ANNEX “A”

SEARCH WARRANT FORMS

Republic of the Philippines
NATIONAL CAPITAL JUDICIAL REGION
REGIONAL TRIAL COURT
Branch _____

People of the Philippines)
Plaintiff)

SEARCH WARRANT NO. _____

-versus-

For:

Aka _____
Aka _____

**Several John Does and
Several Jane Does.**

Violation of Section 8, 10 and 11, Art. II
of R.A. 9165 otherwise known as
"The Comprehensive Dangerous
Drugs Act of 2002."

All of _____,
_____,
_____.
X-----X

**Violation of PD 1866 as amended by
RA 8294 for Illegal Possession of
Firearms**

APPLICATION FOR SEARCH WARRANT

The undersigned, _____, of legal age,
member of Philippine National Police, presently assigned with SOU-III, **Anti-Illegal
Drugs Special Operations Task Force (AIDSOTF)**, stationed at Camp Crame,
Quezon City, after having been duly sworn to in accordance with law do hereby
depone and state to wit;

1. That he was informed and after conducting the corresponding verification
and investigation has confirmed that above-named suspects with address indicated
below their names have in their possessions and control of the following items
subject of the offenses described below, to wit:

- a.) Assorted essential chemicals/precursors being used in the
Manufacture of Methamphetamine Hydrochloride (SHABU)
- b.) Equipment, apparatus and paraphernalia being used in
manufacture of Methamphetamine Hydrochloride (SHABU),
- c.) Undetermined amount of dangerous drugs Methamphetamine
Hydrochloride (SHABU),

- d.) One (1) unit caliber .45 pistol.
- e.) One unit of pistol of unknown caliber
- f.) Vehicles being used by the group in their illegal drug manufacturing activities particularly a _____ with plate # _____, _____ with plate # _____ and _____ with plate # _____ and;
- g.) Other vital documents related to illegal drug transactions of the group such as, Bank Book / Documents.

2. That the undersigned has verified the report and found out to be a fact that suspects are **violating Section 8, 10 and 11, Article II of RA 9165 otherwise known as “The Comprehensive Dangerous Drugs Act of 2002” and Violation of PD 1866 as amended by RA 8294 for Illegal Possession of Firearms”**.

3. That the undersigned has believed that a Search Warrant be issued to enable the undersigned to arrest the suspects, take custody of all in their possession and to bring before this Honorable Court the above-described pieces of evidence.

THEREFORE, premises considered, the undersigned respectfully prays to this Honorable Court for the issuance of Search Warrant authorizing him and his agents or any Peace Officer to search the above-cited premises described in this application and to bring before this Honorable Court the above-described pieces of evidence as well as the above-cited respondents to be dealt with in accordance with the law.

_____, Philippines, _____, 2009.

 Applicant

NOTED BY:

ISMAEL G FAJARDO JR, MPA
 Police Chief Inspector
 Case Officer

RECOMMEND APPROVAL:

EDUARDO P ACIERTO, MPA, PESE

Police Senior Superintendent (DSC)

Project Officer

FRANCISCO A UYAMI, CSEE

Police Senior Superintendent (DSC)

Project Supervisor

APPROVED FOR FILING:

ATTY JEFFERSON P SORIANO, CEO VI, CPP

Police Deputy Director General

TDCO/TF CMDR, AIDSOTF

Project Director



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



MEMORANDUM

FOR : Director, PNP-CLG
(Attn: Chief, SOCO)

FROM : (Head / Deputy of Office / Chief, Invest)

SUBJECT : Request for Augmentation

DATE : _____

1. This pertains to the Search Warrant operations to be conducted by elements of this Office, against suspected Drugs Clandestine Laboratory / Chemical Warehouse / Storage located at _____ on _____.

2. In this connection, request availability of one (1) SOCO Team to augment with the joint operatives of this unit, PDEA and _____ in the implementation of Search **Warrant # _____** issued by **Honorable Judge _____**, **Executive Judge**, RTC, **Branch _____**, _____ dated _____.

3. _____, Investigator-on-Case of this Office will personally coordinate in your Office for this purpose.

4. For favorable consideration and prompt action on this matter.



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

The City/Provincial Prosecutor
Hall of Justice

SIR/MADAM:

Respectfully referred to your Office for Inquest are the pertinent records of investigation relative to a case for Violation of Section ____ Article II of RA 9165 otherwise known as Comprehensive Dangerous Drugs Act of 2002 committed on _____, at about _____ am/pm at _____ by the following suspect/s listed below:

A. SUSPECTS:
FOR VIOLATION OF SECTION ____

- a.) _____ of _____
b.) _____ of _____

B. COMPLAINANT/WITNESSES:

- a.) (Arresting Officer/s) - c/o _____
b.) (Chemist) - c/o _____
c.) (Barangay Official) - c/o _____
d.) (DOJ Representative) - c/o _____
e.) (Media Representative) - c/o _____
f.) Others to be presented later.

C. EVIDENCE/EXHIBITS:

- 1.) Pre-Ops Report/Coordination dated _____
2.) SW # _____ issued by Hon. Judge _____, RTC Branch _____ dated _____
3.) Certification of Orderly Search dated _____

- 4.) Application for the issuance of SW dated _____
- 5.) Affidavit of Surveillance dated _____
- 6.) Affidavit of Arresting Officer/s dated _____
- 7.) Affidavit of Seizing Officer dated _____
- 8.) Request for Laboratory Examinations of seized drugs, chemicals and precursors dated _____
- 9.) Result for Laboratory Examinations of seized drugs, chemicals and precursors dated _____
- 10.) Request for Physical/Medical Examinations of arrested suspect/s dated _____
- 11.) Result of Physical/Medical Examinations of arrested suspect/s dated _____
- 12.) Request for drug test of the arrested suspect/s dated _____
- 13.) Result of drug test of the arrested suspect/s dated _____
- 14.) Pictures of Crime Scene
- 15.) Booking/Information of arrested suspects dated _____
- 16.) Pictures/Mag shots of arrested suspect/s with tag indicating the name, DTPO, offense and arresting unit
- 17.) Pictures of Confiscated/seized evidence in the presence of the suspect/s and the witnesses
- 18.) Acknowledgement receipt of turn-over of custody of confiscated/seized evidence dated _____
- 19.) Receipt of Property Seized dated _____
- 20.) Certification of Orderly Search signed by the witnesses dated _____
- 21.) _____ Others to be presented later.

FACTS OF THE CASE:

Investigation revealed that on _____, _____ (Applicant of SW) together with his witness/es applied for Search Warrant before the sala of Hon. Judge _____ Presiding Judge, RTC Branch ____ against _____, et al. for Violation of Sec. ____, Art. II, R.A 9165.

On _____, Hon Judge _____, Presiding Judge issued Search Warrant # _____ against _____, et al of _____ for Violation of Section _____, Art. II of RA 9165.

At about _____ of _____, the undersigned (Chief of Office) conducted final briefing regarding the implementation of the above-cited writ, wherein, _____ designated as Team Leader, _____ and _____ were designated as Arresting Officers, while _____ as Investigator on Case.

On the same date at about _____, joint elements of this Unit, PDEA, CLG, and _____ implemented Search Warrant # _____ at _____ which resulted in the arrest of _____, all of _____ and the confiscation/seizure of _____ kgs of Shabu, several assorted chemicals, precursors and equipments, apparatus and instruments being used in manufacturing of Shabu to wit:

ITEMS	QUANTITY	DESCRIPTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

During the implementation of said writ, _____, (Arresting Officers) together with other operatives introduced themselves as Police Officers and _____ read the contents of the said writ in the presence of the suspect/s, media practitioners, DOJ representative and Elected Barangay Officials. Likewise, during the arrest, suspect/s were informed of the cause of their arrest and were apprised of their Constitutional Rights such as the right to remain silent, to have a competent and independent counsel preferably of their own choice.

The search was conducted in an orderly manner in the presence of the suspects and witnessed by Brgy Captain.Kagawad _____ and MR._____.

The actual physical inventory, markings and taking of photographs were conducted in the place of operation in the presence of the suspect and the representatives from the Department of Justice Prosecutor _____, Media _____ and Brgy Captain/Kagawad _____.

The arrested suspects were brought to _____ Headquarters in _____ for investigation, proper documentations and disposition.

All confiscated/seized pieces of evidence were properly turned-over to Investigator on Case and were subsequently turned over to PNP-CLG for laboratory examination and custody.

PNP-CLG Chemistry Report No. _____ examined by _____ and approved by _____ dated _____ gave positive results for

the test of dangerous drugs with a total weight of _____, essential chemicals and precursors.

This case will be presented by _____ Investigator on Case of this Office.

Request furnish this Office a copy of resolution thereof for our ready reference and please acknowledge receipt.

Very truly yours,



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



DATE_____

RECEIPT/INVENTORY OF PROPERTY SEIZED

This is to acknowledge the receipt of the property/items/articles herein listed/inventoried below from _____ during the **BUY-BUST OPERATION** at _____ on _____ at about _____ o'clock AM/PM, to wit:

ITEM NUMBER	QUANTITY	DESCRIPTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

A copy of hereof was furnished to MR/MRS/MS. _____ who was/were present during the search, seizure and inventory of the above-described property/items/articles

PO2 ROBIN MONTANO
Seizing Officer

OWNER/OCCUPANT: Refused to sign

WITNESSES:

1. _____ 2. _____ 3. _____

VERIFICATION

REPUBLIC OF THE PHILIPPINES)
City/Province of _____) ss

I, PO2 ROBIN MONTANO, of legal age, Filipino, bona fide member of the PNP-AIDSOTF after being sworn in accordance with law, hereby depose and say:

1. That I am the duly designated **SEIZING OFFICER** in the aforementioned anti-illegal drugs operation;

2. That I have caused the preparation of the above **RECEIPT/INVENTORY OF THE PROPERTY SEIZED** and I have read the same and know the contents thereof;

3. That the allegations contained therein are true and correct of my own personal knowledge, belief and based on authentic documents.

IN WITNESS WHEREOF, I have hereunto set my hands this _____, at _____, Philippines.

PO2 ROBIN MONTANO
Affiant

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2009, at _____, I further certify that I have personally examined the affiant and I am convinced that he voluntarily executed and understood his foregoing statements.

Administering Office



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

CERTIFICATION OF ORDERLY SEARCH

THIS IS TO CERTIFY that at about _____ AM/PM of _____, team from _____ stationed at _____ led by _____ conducted search in my residence/premises located at _____ by virtue of SEARCH WARRANT NR _____ issued by **HON. JUDGE** _____ RTC Branch _____, _____ dated _____.

That, I was present at all times and have witnessed the conduct of the search, which was done in an orderly manner. No unnecessary force was employed; nobody was hurt nor was there anything lost nor taken from me.

That, the search was conducted in accordance with law and in view hereof, I do not have any complaint whatsoever against any member of the _____ who conducted the search.

IN WITNESS WHEREOF, I have hereunto affixed my signature this _____ day of _____ at _____, Philippines.

Owner/Custodian of Property Subject of Search

WITNESSES:

SUBSCRIBED AND SWORN to before me this ____ day of _____ at _____, Philippines.

Administering Officer

C E R T I F I C A T I O N

THIS IS TO CERTIFY That I have personally examined the herein affiant/s and I am fully satisfied and convince that he/she voluntarily executed and understood the contents hereof.

Certifying Officer



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

Turn-Over of Confiscated/Seized Evidence

I, _____, Seizing Officer properly turned over to _____ Investigator on case the following confiscated/seized pieces of evidence seized during the implementation of Search Warrant # _____ issued by Hon. Judge _____ RTC/MTC Branch _____ dated _____ for custody and proper disposition, to wit;

Description of Evidence with markings and signature of the Seizing Officer

- 1) _____
- 2) _____
- 3) _____
- 4) _____

Request Acknowledge receipt.

Turned-over by:

Received by:

Seizing Officer

Investigator on Case

Noted by:

Chief, Investigation Section



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



MEMORANDUM

FOR : Director, CLG
(Attn: Chief, Medico Legal Division)

FROM : (Head/Deputy/Chief, Invest)

SUBJECT : Request for Drug Test Examination

DATE : _____

-
1. Request conduct drug test examination on the living person of _____, of legal age, and presently residing at _____.
 2. Said person was arrested by this Unit during the implementation of SW # _____ issued by Hon. Judge _____, RTC Branch _____, _____ on _____ at about _____ am/pm at _____.
 3. Further request furnish this Office the result thereof for our investigative and future reference.
 4. Please acknowledge receipt.

Republic of the Philippines)
City/Province _____) S.S.
X-----X

JOINT AFFIDAVIT OF SURVEILLANCE

We, _____ and _____, both of legal age, bonafide members of Philippine National Police, presently assigned with _____, stationed at _____, after having been duly sworn to in accordance with law do hereby depose and state to wit;

That we are member of the PNP presently assigned with _____ stationed at _____.

(FACTS OF THE CASE/ CHRONOLOGY OF EVENTS)

We were executing this affidavit to attest to the truthfulness of the foregoing facts and to support the application for the issuance of Search Warrant.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, we have hereunto affix our signature this ____th day of _____ at _____, Philippines.

Affiant

Affiant

SUBSCRIBED AND SWORN to before me this ____th day of _____ at _____, Philippines.

Administering Officer

CERTIFICATION

THIS IS TO CERTIFY that I have personally examined the herein affiant/s and I am fully satisfied and convinced that they voluntarily executed and understood their statements their statements.

Certifying Officer

x ----- x

JOINT AFFIDAVIT OF ARREST

We, _____ and _____, both of legal ages, and bonafide members of the _____, stationed at _____ having been duly sworn to in accordance with the law do hereby depose and state:

1. That, we are members of the _____ and designated as Arresting Officers in implementation of Search Warrant # _____ issued by Honorable Judge _____, _____ RTC, Branch _____, _____ against _____, all of _____ for Violation of Sec. ____, Art. II, R.A 9165.

2. That, at about _____ of _____, _____ (Applicant of SW) together with his witness/es applied for Search Warrant before the sala of Hon. Judge _____ Presiding Judge, RTC Branch ____ against _____, et al. for Violation of Sec. ____, Art. II, R.A 9165.

3. That, on _____, Hon Judge _____, Presiding Judge issued Search Warrant # _____ against _____, et al of _____ for Violation of Section _____, Art. II of RA 9165.

4. That, on _____, _____ (Chief of Office) conducted final briefing regarding the implementation of the above-cited writ, wherein, _____ designated as Team Leader and the undersigned were designated as Arresting Officers, while _____ as Investigator on Case.

5. That, on the same date at about _____, joint elements of this Unit, PDEA, CLG, and _____ implemented Search Warrant # _____ at _____ which resulted in the arrest of _____, all of _____ and the confiscation/seizure of _____ kgs of Shabu, several assorted chemicals, precursors and equipments, apparatus and instruments being used in manufacturing of Shabu to wit:

ITEMS	QUANTITY	DESCRIPTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. That, during the implementation of said writ, we introduced ourselves as Police Officers and _____ read the contents of the said writ in the presence of the suspect/s, media practitioners, DOJ representative and Elected Barangay Official, likewise apprised them of their Constitutional Rights such as the right to remain silent, to have a competent and independent counsel preferably of their own choice and the right to be informed of such rights, as well as of the nature of their arrest.

7. That, the Search was conducted in an orderly manner in the presence of representatives from Barangay _____ identified as _____, City Prosecutor's Office identified as _____, and MEDIA practitioner identified as _____.

8. That the actual physical inventory, markings and taking of photographs were conducted in the place of operation in the presence of the suspect and the representatives from the Department of Justice Prosecutor _____, Media _____ and Brgy Captain/Kagawad _____.

9. That, the arrested suspects were brought to _____ Headquarters in _____ for investigation, proper documentations and disposition.

10. That, all confiscated/seized pieces of evidence were properly turned-over to Investigator on Case and were subsequently turned over to PNP-CLG for laboratory examination and custody.

11. PNP-CLG Chemistry Report No. _____ examined by _____ and approved by _____ dated _____ gave positive results for the test of dangerous drugs with a total weight of _____, essential chemicals and precursors.

12. That, we are executing this affidavit to attest to the truthfulness of the foregoing facts and to support the filing of appropriate charges against the suspects.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, we have hereto affixed our signatures below this ____ day of _____ at _____, Philippines.

Affiant

Affiant

SUBSCRIBED AND SWORN to before me this _____ day of _____ at _____, Philippines.

Administering Officer

CERTIFICATION

THIS IS TO CERTIFY that I have personally examined the herein affiants and I am fully satisfied and convinced that they have voluntarily executed and understood their statements.

Certifying Officer

Republic of the Philippines)
City/Province of _____) S.S.
X-----X

AFFIDAVIT OF SEIZING OFFICER

I, _____, of legal age, bonafide member of Philippine National Police and presently detailed with _____, stationed at _____ after having been duly sworn to and accordance with the law hereby depose and state:

That I am member of _____ and was designated as Seizing Officer during the implementation of Search Warrant No. ____ issued by **Honorable Judge** _____, **RTC, Branch** _____ dated _____ against _____ et. al., all of _____.

That on _____, _____, Chief of Office together with his witnesses applied for Search Warrants before the sala of **Hon. Judge** _____, **RTC Branch** _____, _____ against _____ et. al. for Violation of Section _____, Art. II, of R.A. 9165.

That on _____, at about _____ am/pm, joint elements of this Office and PNP-CLG _____ implemented the above-cited writ at _____, which resulted in the arrest of _____, and the confiscation / seizure of _____ kgs of Shabu, several assorted chemicals, precursors, equipments, apparatus and instruments being used in manufacturing of Shabu at _____ listed below:

ITEMS QUANTITY	DESCRIPTION
_____	_____
_____	_____

That the actual physical inventory, markings and taking of photographs were conducted in the place of operation in the presence of the suspect and the representatives from the Department of Justice Prosecutor _____, Media _____ and Brgy Captain/Kagawad _____.

That I properly turned-over all the confiscated / seized pieces of evidence to Investigator on Case and the same were subsequently turned over to PNP, CLG for laboratory examination and custody.

That, I am executing this affidavit to attest to the truthfulness of the foregoing facts and to support the filing of appropriate charges against the suspect/s.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, I have hereunto affixed my signature this ____ day of _____ at _____, Philippines.

Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ at _____, Philippines.

Administering Officer

CERTIFICATION

THIS IS TO CERTIFY that I have personally examined the herein affiant and I am fully satisfied and convinced that he/she voluntarily executed and understood the contents hereof.

Certifying Officer



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



CHAIN OF CUSTODY FORM

Nature of Case: _____

Name of Suspects/s: _____

Time, Date and Place of Occurrence: _____

Arresting Officers/Operating Unit: _____

Description of Evidence/s: _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____

Time and Date : _____

Remarks : _____

RECEIVED BY : _____
(Name and Designation)

Agency / Address : _____

Time and Date : _____

Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

RECEIVED BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

RECEIVED BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



BOOKING AND INFORMATION REPORT

DATE: _____

NAME: _____ ALIAS _____
LAST FIRST MIDDLE

ADDRESS: _____

TEL NO: _____ NATIONALITY: _____ AGE: _____

STATUS: _____ OCCUPATION: _____ SEX: _____

WEIGHT: _____ HEIGHT: _____ EDUCATION ATTAINMENT: _____

DATE AND PLACE OF BIRTH: _____

NAME AND ADDRESS OF THE FATHER: _____

NAME AND ADDRESS OF THE MOTHER: _____

NAME AND ADDRESS OF NEXT KIN: _____

OFFENSE/S CHARGED: _____

BOOKED BY: _____ UNIT: _____

DTPO: _____

SIGNATURE OF PERSON ARRESTED

ARRESTING OFFICER

RIGHT HAND

LEFT HAND

ANNEX “B”

BUY- BUST FORMS

Republic of the Philippines)
) S.S.
)

AFFIDAVIT OF POSEUR-BUYER

I, _____, of legal age, and bonafide member of the _____, stationed at _____ after having been duly sworn to in accordance with the law do hereby depose and state:

(FACTS OF THE CASE/CHRONOLOGY OF EVENTS)

That, I am executing this affidavit to attest to the truthfulness of the foregoing facts and to support the filing of appropriate charges against the suspect/s.

FURTHER AFFIANT SAYETH NAUGHT:

IN WITNESS WHEREOF, I have hereunto affix my signature this ____ day of _____ at _____, Philippines.

Affiant

SUBSCRIBED AND SWORN to before me this ____ day of _____ at _____, Philippines.

Administering Officer

CERTIFICATION

THIS IS TO CERTIFY that I have personally examined the herein affiant and I am fully satisfied and convinced that he/she voluntarily executed and understood the contents hereof.

Certifying Officer



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



DATE _____

RECEIPT/INVENTORY OF PROPERTY SEIZED

This is to acknowledge the receipt of the property/items/articles herein listed/inventoried below from _____ during the **BUY-BUST OPERATION** at _____ on _____ at about _____ o'clock AM/PM, to wit:

ITEM NUMBER	QUANTITY	DESCRIPTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

A copy of hereof was furnished to MR/MRS/MS. _____ who was/were present during the search, seizure and inventory of the above-described property/items/articles

PO2 ROBIN MONTANO
Seizing Officer

OWNER/OCCUPANT: Refused to sign

WITNESSES:

1. _____ 2. _____ 3. _____

VERIFICATION

REPUBLIC OF THE PHILIPPINES)
City/Province of _____) ss

I, **PO2 ROBIN MONTANO**, of legal age, Filipino, bona fide member of the PNP-AIDSOTF after being sworn in accordance with law, hereby depose and say:

1. That I am the duly designated **SEIZING OFFICER** in the aforementioned anti-illegal drugs operation;

2. That I have caused the preparation of the above **RECEIPT/INVENTORY OF THE PROPERTY SEIZED** and I have read the same and know the contents thereof;

3. That the allegations contained therein are true and correct of my own personal knowledge, belief and based on authentic documents.

IN WITNESS WHEREOF, I have hereunto set my hands this _____, at _____, Philippines.

PO2 ROBIN MONTANO
Affiant

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 2009, at _____, I further certify that I have personally examined the affiant and I am convinced that he voluntarily executed and understood his foregoing statements.

Administering Officer



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

Turn-Over of Confiscated/Seized Evidence

I/We, _____ Seizing/Arresting Officer/s properly turn-over to _____, Investigator on case the following pieces of evidence confiscated/seized from _____ who was arrested during the buy-bust operation conducted by this office on _____ at about _____ am/pm at _____ for custody, documentation and proper disposition, to wit;

- 1.) (Nos. of bundles) of boodle money with (no. of genuine peso bills) with serial nos _____, placed on _____ with markings and the initial of Seizing/Arresting Officer/s.
- 2.) _____
- 3.) _____

Request Acknowledge receipt.

Turned over by:

Received by:

Seizing/Arresting Officer

Investigator on Case

Noted by:

Chief, Investigation Section



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

Turn-Over of Arrested Suspect

We, _____ and _____ Arresting Officers properly turn-over to _____ Investigator on case the living body of _____ in good physical and mental condition. Said suspect/s was arrested during the buy-bust operation conducted by this Office on _____ at about _____ at _____.

Request acknowledge receipt.

Turned over by:

Received by:

Investigator on Case

Arresting Officer/s

Noted by:

Chief, Investigation Section



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ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



BOOKING AND INFORMATION REPORT

DATE: _____

NAME: _____ ALIAS _____

LAST FIRST MIDDLE

ADDRESS: _____

TEL NO: _____ NATIONALITY: _____ AGE: _____

STATUS: _____ OCCUPATION: _____ SEX: _____

WEIGHT: _____ HEIGHT: _____ EDUCATION ATTAINMENT: _____

DATE AND PLACE OF BIRTH: _____

NAME AND ADDRESS OF THE FATHER: _____

NAME AND ADDRESS OF THE MOTHER: _____

NAME AND ADDRESS OF NEXT KIN: _____

OFFENSE/S CHARGED: _____

BOOKED BY: _____ UNIT: _____

DTPO: _____

SIGNATURE OF PERSON ARRESTED

ARRESTING OFFICER

RIGHT HAND

LEFT HAND



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



(Date)

Turn-Over of Custody

City Warden
City Jail

_____ City

Sir,

Respectfully turned-over to your custody the living person of _____, (Nationality), (Age), (Civil Status), and a resident of _____, who was arrested during buy-bust operation conducted by this unit on _____, at about _____ at _____.

Attached are the following records listed below for your reference and perusal.

INCLUSIONS:

- a. Commitment Order dated _____
- b. Information docketed I.S # _____ and CC #: _____.
- c. Medical Result taken by PNP-CLS, Medico-Legal Div.
- d. Booking/Information Sheet
- e. Mug Shots of accused
- f. Spot Report re: arrest of accused

Please acknowledge receipt.



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ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
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Telefax no. 722-1918



CHAIN OF CUSTODY FORM

Nature of Case: _____

Name of Suspects/s: _____

Time, Date and Place of Occurrence: _____

Arresting Officers / Operating Unit: _____

Description of Evidence/s: _____

TURNED OVER BY : _____

(Name and Designation)

Agency / Address : _____

Time and Date : _____

Remarks : _____

RECEIVED BY : _____

(Name and Designation)

Agency / Address : _____

Time and Date : _____

Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

RECEIVED BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

RECEIVED BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____

TURNED OVER BY : _____
(Name and Designation)

Agency / Address : _____
Time and Date : _____
Remarks : _____



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ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
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Telefax no. 722-1918



SUMMARY OF INFORMATION

SUBJECT :

AFFILIATION :

OFFENSE COMMITTED:

PERSONAL DATA :

Name :
Age :
DOB/POB :
Gender :
Nationality :
Civil Status :
Skill :
Religion :
Blood Type :
Complexion :
Height/weight :
Marks :
Ethnic :
Present Address :
Provincial Address :
Present Employment :
Previous Employment :
Date of Employment :
Education :
Spouse/Employment :
Children :

OTHER INFORMATION:

C O N F I D E N T I A L



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ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
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Telefax no. 722-1918



AFTER SURVEILLANCE REPORT

SOU1

(DATE)

SUBJECT :

TO :

I. INTRODUCTION

A. DATE/TIME

B. DURATION OF SURVEILLANCE

C. SURVEILLANT/S (Include time each entered into operation)

D. IDENTITY OF SUBJECT/S UNDER SURVEILLANCE

E. AGENCIES/PERSONS WHO ASSISTED/INVOLVED IN THE OPN (if any)

F. TYPE OF SURVEILLANCE

G. GENERAL AND SPECIFIC LOCATION/PLACE INVOLVED

II. GENERAL DESCRIPTION OF SUBJECT (Physical characteristics, mannerism, peculiarities and habits. Attach subject's photograph)

III. DETAILED CHRONOLOGICAL ACCOUNT OF ACTIVITIES (Main body of the report)

IV. DESCRIPTION OF CONTACT/S

V. DESCRIPTION OF BUILDING CONCERNED

VI. TIME-OFF AND REASON FOR TERMINATION OF SURVEILLANCE

(Reportee)

CONFIDENTIAL



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION

NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



CONTACT MEETING REPORT

(DATE)

TO :

FROM :

REFERENCE :

MEETING

- a. DATE/TIME:
 - Actual -
 - Scheduled -
- b. PLACE OF INITIAL MEETING/CONTACT:
 - Actual -
 - Scheduled -
- c. PLACE OF TRANSFER MEETING:
 - Actual -
 - Scheduled -
- d. REASONS FOR DEVIATION IN ABOVE SCHEDULE:
 - 1.
 - 2.
- e. VISUALS SIGN USED:
 - 1.
 - 2.
- f. VIOLATIONS IN VISUAL SIGNS, if any:
 - 1.
 - 2.

- g. COVER USED:
Action handlers (AH)
Action Agents (AA)

- h. UNUSUAL BEHAVIOR OF AA OBSERVED DURING THE MEETING:

- i. PROBLEMS BROUGHT OUT BY THE AA AND SOLUTIONS MADE BY THE AGENT HANDLER:

INFORMATION AND OPERATIONAL DATA GATHERED:

Indicate source and details on how the info was gathered by the Action Agent.

NEXT MEETING:

- a. REGULAR PLAN
Date/Time/Place
- b. ALTERNATE PLAN
Date/Time/Place
- c. EMERGENCY PLAN
- d. COVER STORY
1) Agent Handler
2) Action Agent
- e. VISUAL SIGNS
1. Safety
2. Danger
- f. INSTRUCTION(s)

(Signature over printed name)
Agent Handler

CONFIDENTIAL



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NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
ANTI – ILLEGAL DRUGS SPECIAL OPERATIONS TASK FORCE
Camp Crame, Quezon City
Telefax no. 722-1918



MONTHLY DEVELOPMENT REPORT

(DATE)

I. INTRODUCTION:

This is a periodic Development Report of COPLAN (COPLAN CODE) of (Unit _____) _____ targeting (State targets _____).

This report covers the period (Inclusive dates/month _____).

II. DEVELOPMENTS:

A. AGENT ACQUISITION/TERMINATION

- Where the Action Agent (s) (spotted or acquired during the period? If so, who are they and give details on their backgrounds.
- Where the Action Agent(s) terminated during the period? If so, who are they and give details behind the termination.

B. OPERATIONAL ACTIVITIES OF THE AA FOR THE PERIOD

- Information gathered by the AA.

C. INFORMATION ACQUISITION – Analysis and assessment of the information gathered by the AA during the period.

- Counteractions initiated or launched by the unit as a consequence of the information obtained to include results of the counteraction.

D. PROBLEMS – What were the problems encountered by the Case Officer, Principal Agent, Agent Handler, Support Agent and Action Agent(s) during the period? What actions have been undertaken or will be undertaken to solve the problems? (Problem to be indicated herein should be operation-related)

E. PLANS - What specific plans or program of action are to be undertaken by the Action Agent(s) in the succeeding period?

F. CONCLUSION – Case Officer’s conclusion on the project’s current operation status. Determine whether the COPLAN is still viable or not.

(Case Officer)

Report prepared by CASE OFFICER and endorsed by COPLAN Supervisor to be submitted NLT the 12th day of the succeeding month. The MDR should be the summaries of all the CMRs for the month and can be prepared after completing the CMRs.

(NOTE: THE SPECIAL PROJECT REVIEW BOARD (SPRB) reserves the right to recommend the suspension or outright termination of the COPLAN for failure to comply with the above basic reports. All COPLAN-related reports shall be submitted “SAFEHAND” according to the provision of PNP R-200-012)

TECHNICAL WORKING GROUP

(pursuant to DPRM Letter Orders No. 1180 dated September 23, 2009)

NAME	OFFICE/UNIT	DESIGNATION
PSSUPT FRANCISCO A UYAMI, JR.	AIDSOTF	Chairman
PSSUPT EDUARDO P ACIERTO	AIDSOTF	Vice Chairman
PSSUPT LEO ANGELO LEUTERIO	TDCO	Member
PSUPT BERNARDO A BORRINAGA	AIDSOTF	Member
PSUPT FERNANDO V FORTES	AIDSOTF	Member
PSUPT LEONARDO R SUAN	AIDSOTF	Member
PSUPT ALEXANDER G MARIANO	AIDSOTF	Member
PSUPT DOMINIC L BACCAY	AIDSOTF	Member
PSUPT EMERSON M MAÑIBO	AIDSOTF	Member
PSUPT ORLANDO T MELCHOR	LS	Member
PSUPT SHEPARD R REYES	MG	Member
PSUPT GRACE M EUSTAQUIO	CLG	Member
PSUPT ISMAEL G FAJARDO, JR.	AIDSOTF	Member
PCINSP VIRGILIO V VILORIA	DI	Member
PCINSP JOEL E VILLAROJO	DO	Member
PCINSP MAYRA M TULAUAN	DIDM	Member
PSINSP ALDO C PEÑAFLOR	CIDG	Member
PSINSP RUBEN D PADUA, JR.	ASG	Member
PCINSP ROQUE A MERDEGIA, JR.	AIDSOTF	Member
PCINSP BEATRIZ S LISING	AIDSOTF	Recorder

ATTY. JEFFERSON P SORIANO PhD/CEO VI

Police Deputy Director General DSC

TDCO/Task Force Commander, AIDSOTF

ADVISER

AIDSOTF Technical Staff/Researcher

PCINSP BEATRIZ S LISING

PCINSP ROQUE A MERDEGIA JR

SPO1 Francia B Evangelista

PO3 Jerry G Badillo

PO2 Marianito R Carpio Jr

PO2 Jhun E Cortez

PO2 Geraldine R Fuerte

PO2 Junvi P Melchor

PO1 Jenie Jane P De Guzman



**PNP ANTI-ILLEGAL DRUGS
SPECIAL OPERATIONS TASK FORCE**