

REORGANIZING THE PHILIPPINE CONSTABULARY INTO A NATIONAL POLICE FORCE

EXECUTIVE ORDER NO. 153, June 23, 1938

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Pursuant to the provisions of Commonwealth Act Numbered Three hundred forty-three, entitled “An Act to abolish the State Police Force, to reorganize the Philippine Constabulary into a National Police Force and providing funds therefor,” the Philippine Constabulary is hereby constituted as The National Police.

I. The Philippine Constabulary

1. The Philippine Constabulary and all police duties, authority, and responsibility pertaining thereto are hereby removed from the jurisdiction of the Chief of Staff of the Army of the Philippines and will hereafter be administered by the Chief of Constabulary in conformity with applicable laws and with the instructions contained herein.
2. The Philippine Constabulary shall be composed of such officers and enlisted men as may be detailed thereto from the Philippine Army with the approval of the President. It will be organized and controlled in all its echelons independently of the Philippine Army, and on and after January first, nineteen hundred and thirty-nine, will be separately supported and administered. For administrative purposes the Philippine Constabulary shall be deemed to be a bureau of government, and the Chief of Constabulary shall have all the powers conferred generally on bureau chiefs. Provisions of existing and future laws applying to the discipline, conduct, and responsibilities of individuals in the Army will, so far as they may be appropriate, apply with equal force to members of the Constabulary.
3. The uniform of the Constabulary shall differ from that of the Army follows: shoulder straps and piping on the uniform of the Constabulary shall be red; for the Army they shall be blue.
4. The Chief of Constabulary shall be directly responsible to the President for the execution of all police duties, responsibilities and functions heretofore pertaining to the Philippine Constabulary and those specifically assigned to him by the President. Subject to the approval of the President he will prescribe and issue regulations for the conduct and administration of the Constabulary. He will administer all laws and regulations affecting personnel of the Constabulary, excepting those pertaining to the procurement of military personnel and the promotion of officers. For purposes of record, he will transmit to the Adjutant General of the Philippine Army such reports and returns as may be necessary to enable that office to maintain permanent records of all personnel. Annual eligibility and efficiency boards appointed in the Army under the orders of the President will include proportionate representation from the Constabulary.
5. Subject to the approval of the President, the Philippines shall be divided into Constabulary Departments, each designated by the name of a principal island or group of islands. Where necessary to create more than one department for any island each will receive a suitable designation. In each department the Senior Constabulary Officer shall be designated Department Inspector of Constabulary. He will be responsible to the Chief of Constabulary for the efficient functioning of the Constabulary in his department.

6. The Senior Constabulary Officer in each province will be designated Provincial Inspector and will command all Constabulary elements in that province. For routine administration and supply purposes he will communicate directly with the Chief of Constabulary; in all other matters he will be directly subordinate to the Department Inspector.

II. Relations between Constabulary and Local Police

7. Pursuant to the provisions of section six of Commonwealth Act Numbered Three hundred forty-three, all provincial, city, or other local fire and police bodies and provincial guards as may have been wholly or partially removed from the control of local officials by Commonwealth Act Numbered Eighty-eight are hereby restored to such control, and to the status occupied by them respectively before the approval of the Act, subject hereafter, however, to such regulations affecting organization, administration, and civil service and other qualifications required of individuals holding positions in these bodies as may be approved by the President.

8. Pending approval of the regulations indicated in the preceding paragraph, it is hereby directed that all members of local police and firemen in all cities, municipalities, and municipal districts, shall continue in their present functions in the service, with the same powers, duties, and functions as peace officers and firemen within their respective jurisdictions as have obtained heretofore, serving under the direct control and supervision of their appropriate chiefs of police and city, municipal, and municipal district mayors. The salaries of said police and firemen shall be paid as heretofore, from the same sources, and at the same salaries now authorized. Provincial guards and special agents shall likewise continue in the service under the supervision of their respective provincial governors and their present authorized salaries shall be paid as heretofore by the provinces concerned. Provincial police inspectors and other commissioned officers appointed under Commonwealth Act Numbered Eighty-eight shall cease to function as such on the date this order takes effect. Provincial constabulary commanders or inspectors who have not been previously appointed police inspectors and those who have been appointed ex-officio police inspectors, shall act and continue as provincial police inspectors without additional compensation in the provinces to which they are respectively assigned. Until the promulgation of new regulations, the same rules of discipline as have heretofore been enforced under the provisions of Commonwealth Act Numbered Eighty-eight shall be applicable in so far as they are not inconsistent with the provisions of Commonwealth Act Numbered Three hundred forty-three and of this Order to all members of local police and firemen.

9. Under the provisions of, and for the specific purposes expressed in, Section Eight hundred thirty-four of the Revised Administrative Code all local police bodies and individuals in each province, including all provincial guards and special agents, are placed under inspectional supervision of the appropriate local representative of the Chief of Constabulary.

10. Under the provisions of Chapter I, Article III, Section four (d), Act Numbered Three thousand nine hundred ninety-two, Revised Motor Vehicle Law, personnel of the Philippine Constabulary will be designated as deputies to assist in preventing violations of said Act and in carrying out the police provisions thereof. Regulations approved by the President for insuring traffic control as intended in that Act will be executed by the Constabulary and all local police under coöperative methods jointly established by the Secretary of Commerce and Communications and by the Chief of Constabulary.

III. Procedure of immediate organization

11. Until a permanent Chief is appointed and qualified, the present Deputy Chief of Staff is hereby relieved from his duties with the Philippine Army and is designated Acting Chief of the Philippine Constabulary.

12. All organizational plans, when approved by the President, will be executed through the coöperative action of the Chief of Staff and the Chief of Constabulary. The plans will provide for:

- (a) The initial transfer of commissioned, enlisted, and civilian personnel from the Army to the Constabulary, including the Malacañan Guard Company.
- (b) The transfer from the Army to the Constabulary of appropriate property including real estate, weapons, transportation, clothing, and other essential items. Transferred property will be dropped from the accounts of the Army and receipted and accounted for by the Constabulary.
- (c) The normal supply and maintenance of the Constabulary during the remainder of the current calendar year from military funds and resources: Provided, That expenses incident to organization, additional housing, and procurement of special equipment will be accomplished from funds specially provided for this purpose in nineteen hundred and thirty-eight by Section eight, Commonwealth Act Numbered Three hundred forty-three.
- (d) Development of procedure to apply on and after January first, nineteen hundred and thirty-nine, whereby the Constabulary may secure, upon direct reimbursement for all costs involved, which is hereby authorized, of equipment essentially military in character, and any other items which may be most efficiently and economically procured through utilization of the Army's procurement agencies.

IV. Emergency control

13. During any period of emergency involving the employment, upon the direction of the President, of any element of the Army to supplement the Constabulary in maintenance of law and order, the military element involved may be temporarily assigned to the command of the appropriate Constabulary official or, if the emergency so warrants, all Constabulary and other police elements in the affected region may be attached to the Army to operate under the control of the Chief of Staff, as may be directed by the President in each case. In all such cases routine administration and supply of the Army and of the Constabulary will remain the responsibility of their respective chiefs.

V. Funds

14. The amount of five hundred thousand pesos appropriated by Section eight, Commonwealth Act Numbered Three hundred forty-three, is hereby released to the Chief of Constabulary for the purposes specified in that Act, subject to approval by the President as required by law or regulation and particularly in all cases involving construction or the acquisition of real estate and motor equipment.

15. This Order shall take effect on June twenty-third, nineteen hundred and thirty-eight.

Done at the City of Manila, this twenty-third day of June, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

MANUEL L. QUEZON

President of the Philippines

By the President:

JORGE B. VARGAS

Secretary to the President

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