

SC CIRCULAR NO. 33-96, April 24, 1996

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ADMINISTRATIVE SUPERVISION OF COURTS

TO :

ALL JUDGES

SUBJECT:

JOINT MEMORANDUM CIRCULAR OF THE SUPREME COURT, THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF THE INTERIOR AND LOCAL ON THE GUIDELINES ON POLICE WITNESSES AND ARREST OF ACCUSED WHO JUMPED BAIL

For the information and guidance, of all concerned, quoted hereunder are the pertinent provisions of the Joint Memorandum Circular of the Supreme Court, the Department of Justice and the Department of the Interior and Local Government on the guidelines on police witnesses and arrest of accused who jumped bail, to wit:

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Section.1. - The Supreme -Court, through ,the Office, of the Court Administrator, shall:

A. Require all Clerks of Court that:

(1) In the preparation of the notice hearing/subpoena, copies of the same shall not only be sent to the office and residence addresses of the police witness concerned but also to his/her commanding officer's or- immediate-, superior officer's address;

- (2) In case several police witnesses are summoned to attend a scheduled hearing, all of them shall be furnished individually of copies of the notice of hearing/subpoena;
- (3) In all cases, notice of the hearing/, subpoena shall be sent at least thirty (30) days prior to the scheduled hearing, to the police witness and his/her commanding officer or immediate superior officer;
- (4) In issuing pictures available the warrants of arrest, the of the accused, whenever or feasible, or a summary of the physical description of the accused, must be appended to the warrants before the same are transmitted to the law enforcement agencies for service; and
- (5) Companies or until us engaged in the business of bailing out accused persons shall maintain a personal data file of all their clients, who jumped bail, data available. to particularly those/ and make these law enforcement operatives once their arrest. a warrant is issued for their arrest.

B. Remind and advise all Judges:

- (1) To give preference in time to the testimony of the police witness than other witnesses;
- (2) To avoid unnecessary postponements of hearing, especially when the police witness present comes from a far-flung police unit or station;
- (3) Not to be too lenient or liberal in accepting the explanation of police witnesses who fail to attend scheduled hearings despite due notice to them;
- (4) To impose the maximum penalty to police witnesses and their superiors when warranted, if the explanations of the offending witness should be found unsatisfactory; and
- (5) To inform the head of the law enforcement agency to while the offending witness belongs of the sanction imposed against the said witness

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Section 5. This Joint Memorandum Circular shall take effect immediately.

11 January 1996, Malacañang, Manila."

April 24, 1996.

(SGD.) ERNANI CRUZ PANO

Court Administrator

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