BJMP POLICY ON THE DISTRIBUTION AND ISSUANCE OF FIREARMS

BJMPNHQDL MEMO CIRCULAR NO. 2014-005, July 07, 2014

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I. RATIONALE

The jail profession is a public service of great importance. It plays a vital role in the protection of the right to life, liberty and security of the public and there is, therefore, a need to maintain and, whenever necessary, to improve the efficiency and effectiveness of jail officers to guarantee their safety.

However, in the process of acquiring firepower capabilities, it should be emphasized that the use of firearms by jail officers should be commensurate with due respect for human rights. And if it will be issued, the officer is aware of his/her full responsibility attached to his/her firearms aside from the indispensable requisite that it beseeched in the lawful performance of duties.

II. OBJECTIVES

- To ensure that all firearms to be issued shall be properly monitored and utilized according to its purpose, and

- To ensure that all issuances of firearms shall be in accordance with the existing laws and treaties governing it.

III. SCOPE OF COVERAGE

This policy shall apply to the issuance and distribution of firearms.

IV. GENERAL GUIDELINES

- Firearms shall be issued only to officers who have been trained and authorized in a particular class of weapon. Officers issued with firearms must attend regular refresher courses and those failing to do so or reach the qualifying standard will lose their authorization;

- All officers are authorized to be issued with one (1) firearm only unless the subsequent issue has been authorized by the Chief, BJMP;

- Those personnel performing escorting duties must be given preference in the issuance of firearms from among those performing custodial and office functions;

- The following circumstances shall be the grounds for recall or non-issuance of firearms and automatic revocation of authority to possess:

- Officers who have been found to be negligent in the loss of their firearms including those who have previous record of selling or mortgaging their issued firearms;

- Officers who have been found or based on intelligence reports suspected to be engaging in illegal substance

abuse;

- Officers who failed from neuro-psychiatric examinations and those who have been recommended by Health Service to be psychologically incapable to handle firearms;

- Officers under preventive suspension including those who filed for indefinite leave or leave of absence exceeding (45) days;

- Officers who have been found or based on intelligence reports suspected to be sympathizers of anti-government forces;

- Officers who failed from marksmanship examinations or random marksmanship test during Annual General Inspection and other schedules set by the regional offices; and

- Other acts analogous deemed prejudicial to the interest of the public and national security.

- All Regional Offices shall maintain intact records of firearms regionally and booked-up in their respective Book of Accounts both the Accounting and Property records.

- In the event of transfer of assignment from one Region to the other, all affected JNCO, shall immediately turned-in his/her issued firearm to the NHQ-SAO and/or RSAO as the case maybe after which the latter shall issue the corresponding Property Turned-in Slip (PTIS) and Certificate of Non-Property Accountability. All JCOs shall be allowed to carry forward their issued firearms to their next place of assignment after securing the required Command Clearance from the losing region; afterwhich the necessary adjustment of records shall be effected both by gaining and losing region respectively.

- All Regional Supply Accountable Officers must submit monthly status report of firearms which includes details of to whom it was issued, the serial number of firearm and current designation and area of assignment of personnel where the firearm was issued.

V. PENALTY CLAUSE

Personnel who found violating any provisions of this policy shall be charged administratively and/or criminally in accordance with laws, rules and regulations.

VI. SEPARABILITY CLAUSE

If any provision of this rule is rescinded or modified accordingly by a subsequent rule, any section not affected by such rescission, modification or declaration shall remain in force and effect.

VII. EFFECTIVITY CLAUSE

This policy shall take effect fifteen (15) days after its dissemination nationwide. Three copies of this Policy have been sent to the National Administrative Register of the University of the Philippines Law Center.

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