

REORGANIZATION AND ADMINISTRATION OF LOCAL POLICE FORCES

EXECUTIVE ORDER NO. 156, August 01, 1938

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In order to secure and maintain a high degree of efficiency in the organization and administration of local police forces pending designation of the Department Head who shall exercise supervision over them, and to supplement Executive Order No. 153 reorganizing the Philippine Constabulary into a national police force, I, Manuel L. Quezon, President of the Philippines, by virtue of the powers in me vested by law, do hereby publish the following policies and orders for the guidance of all concerned:

I. General

1. All local police bodies shall be brought to and maintained on a high level of efficiency, to the end that all laws shall be enforced effectively and impartially without regard to the status of offenders.
2. Provincial governors are directly responsible for the efficient administration of the provincial guards, and are charged with supervision of the execution of police duties within their respective provinces. They will be held responsible for the efficient operation of all local police bodies.
3. Mayors are charged with direct responsibility for the efficient administration of the local police force and with the enforcement of law in their respective cities or municipalities.
4. Chiefs of police are responsible to their respective mayors for the impartial enforcement of law and for the administration, discipline, efficiency, and training of their commands.
5. In case of emergency, the provincial governor may, in consultation with the provincial inspector and subject to the approval of the President of the Philippines, mobilize policemen from different municipalities to cope with the situation. All expenses in connection with such mobilization shall be paid from provincial funds.
6. Inefficiency on the part of the local police, or laxity or partiality in the enforcement of law will be deemed sufficient cause for the President of the Philippines to place, for public interest, the local police under the control of the provincial inspector of Constabulary as contemplated in section 836 of the Administrative Code. If such action should become necessary, the President, after fixing responsibility in the matter, may remove from office the culpable chief of police, mayor or governor, or all of them as the case may be.

II. Supervision by the Philippine Constabulary

7. The Philippine Constabulary is the agency through which the President of the Philippines will insure the efficient operation of all local police bodies, and the strict and impartial enforcement of law.
8. District inspectors will maintain constant contact with local police bodies and assure themselves as to their efficient operation.
9. Provincial inspectors are responsible for the inspection of all local police forces within their respective jurisdictions. Inspections will comprise an examination into all phases of police work in order to determine the

efficiency of police bodies in the enforcement of all laws and ordinances, and will include inquiries into the local reputation of the police as to honesty and integrity. Inspections will not necessarily be made completely at fixed intervals of time, but will be in the nature of constant inquiry and supervision. For these purposes, provincial inspectors are authorized to employ any commissioned officer of the Philippine Constabulary.

10. The provincial inspector will correct minor defects noted during his inspections, and will furnish the mayor and the provincial governor with copies of reports submitted to the Chief of Constabulary. When the provincial inspector finds evidence of loose discipline, or laxity, or partiality in the enforcement of law, he will make a detailed report to the Chief of Constabulary, furnishing a copy thereof to the mayor and to the provincial governor.

III. Appointments to the Local Police

11. All local police bodies, the members of which were not appointed from Civil Service lists, shall be critically examined to determine competency, efficiency, and physical capacity. Only those men who have demonstrated aptitude, trustworthiness and devotion to duty shall be retained in the service; men who lack these essential qualities shall be dropped and replaced by men selected as prescribed below for new appointees. Actual records as policemen or as provincial guards shall be made the criteria as to the advisability of retaining members of local police forces. The selection of men to be retained shall be made as follows:

In each municipality or city in which there are policemen who have not qualified under Civil Service rules, the mayor shall convene a Board composed of himself as the chairman, the chief of police, and the provincial inspector of Constabulary or a commissioned officer of the Constabulary designated by the provincial inspector. The Board shall inquire into the qualifications of each member of the local police, except chiefs of police, determine each man's aptitude, trustworthiness, attention to duty, and general value to the service.

In each province, the provincial governor shall convene a Board composed of himself as chairman, the provincial fiscal and the provincial inspector of Constabulary or a commissioned officer designated by the provincial inspector, to make a similar inquiry into the qualifications of each municipal chief of police and of each member of the provincial guards, except the provincial wardens.

The Boards so constituted will recommend each policeman or provincial guard for retention or for dismissal after giving him ample opportunity to be heard in accordance with Civil Service law and rules. The proceedings of all Boards shall be forwarded by the respective mayors and provincial governors, through the Commissioner of Civil Service, to the President of the Philippines for final decision in each particular case. Copies of the proceedings shall also be furnished the Chief of Constabulary.

12. Hereafter, appointments to and promotions in the municipal, city, and provincial police service shall be made in accordance with Civil Service Rules and Regulations by the respective city or municipal mayor or provincial governor, with the approval of the President of the Philippines pending designation of the Department Head who is to exercise supervision over local police forces, except in the case of chiefs of police of chartered cities which is governed by special provisions of law.

13. The Commissioner of Civil Service shall announce from time to time the date and place of examination to qualify for the police service, which shall be held in accordance with the provisions of the Civil Service Law and Rules.

14. To be eligible for examination for initial appointment, a candidate must be a citizen of the Philippines, between the ages of 21 and 40, of good moral habits and conduct, without any criminal record, and must not have been expelled or dishonorably discharged from any civil or military employment; he must possess physical

qualifications as prescribed in approved regulations, and must have the educational attainment, in chartered cities of high-school graduate, and in municipalities of intermediate-school graduate. In every case preference shall be given to candidates who have completed trainee instruction, or who have been honorably discharged after an enlistment in the Philippine Army or Philippine Scouts.

15. No position in any city or municipal police force or in the provincial guards shall be abolished, nor may the salary corresponding thereto be reduced, without the approval of the President of the Philippines.

IV. Investigation, Suspension and Removal of Local Police

16. Provincial governors and city or municipal mayors are authorized to suspend provincial guards and members of city or municipal police, respectively, in case of commission in their presence of a serious offense, or when the commission of said offense is immediately reported to them. The order of suspension shall be made in writing and the provincial inspector furnished with a copy thereof.

17. In case a member of the local police or provincial guard is accused in court of any felony or any violation of law by the provincial fiscal, the mayor or the provincial governor, as the case may be, shall immediately suspend the accused from office and shall furnish the provincial inspector with a copy of the order of suspension.

18. When an administrative complaint is filed against a member of a local police force or provincial guard, or he is suspended by order of the city or municipal mayor or the provincial governor concerned, the papers pertaining thereto shall be referred to the provincial inspector for investigation. If the respondent has not been suspended and the provincial inspector believes that, in the interest of public service, the respondent should be suspended pending investigation, the provincial inspector shall so request in writing the city or municipal mayor in the case of city or municipal police, and the provincial governor in the case of provincial guards, who shall forthwith issue the order of suspension.

19. In the case of members of the police force of the City of Manila, the procedure of investigation heretofore followed shall be continued.

20. Unless otherwise directed by the President of the Philippines, members of local police forces who have been suspended pending the decision of the administrative charges against them shall be reinstated in office after thirty days, if no judgment has been then rendered, without prejudice to the outcome of the case.

21. All records of investigations as above prescribed shall be submitted without delay to the Commissioner of Civil Service, whose decision for the removal, suspension, discipline, or exoneration of the respondent shall be final.

22. In no case shall the position of a suspended policeman be filled without authority from the President of the Philippines.

23. After the reorganization prescribed in paragraph 11, removals from the local police service shall be effected by the Commissioner of Civil Service in accordance with the provisions of Executive Order No. 39, series of 1936.

V. Police Rules and Regulations

24. Pending the approval and issuance of the police rules and regulations as contemplated in section 6 of Commonwealth Act No. 343, the rules and regulations governing the internal organization and discipline in the former State Police shall continue in force in so far as they are not inconsistent with the provisions of Commonwealth Act No. 343, Executive Order No. 153, and of this Order.

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

(Sgd.) MANUEL L. QUEZON

President of the Philippines

By the President:

JORGE B. VARGAS

Secretary to the President

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