PATNUBAY III

PNP MEMORANDUM CIRCULAR NO. 2013-020, November 27, 2013

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I. REFERENCES:

- PNP Pre-Charge Evaluation and Summary Hearing Guide (PNP Internal Discipline Mechanism) 2011;

- Revised Rules on Administrative Cases in the Civil Service (RRACCS) dated November 21, 2011;

- DPRM Discipline, Law and Order Manual dated January 20, 2009;

- Letter of Instructions (LOI) No. 21/08 (PATNUBAY II) dated April 30, 2008;

- NAPOLCOM Memorandum Circular Number (NMC No.) 2007-001 dated March 6, 2007;

- LOI (PATNUBAY) dated July 31, 1998; and

- Republic Act Number (RA. No.) 6975 as amended by RA. No. 8551 dated February 25, 1998, and further amended by RA. No. 9708.

II. RATIONALE:

The PNP Disciplinary Machinery is dynamically evolving as the years pass by. Various Letters of Instructions, Memoranda, Circulars and other policies pertaining to disciplinary machinery of the PNP had gained recognition and attained its objectives and purposes in cleaning up the ranks of the PNP. However, these policies should also be abreast with the realization of the PNP P.A.T.R.O.L. Plan 2030 through the strategic focus of “CODE-P 2013 and beyond” wherein all aspect of enforcing discipline to all PNP personnel should be codified into one.

During the past several years, Patnubay II has been an effective strategy in ridding the organization of defiant police personnel who refuse to toe the line of transformation. Now, all are accounted to be part of the new strategic focuses of “CODE-P 2013 and beyond” which clearly define discipline as commitment to duty, law and order with an end view of rendering “Serbisyong Makatotohanan” to the general public.

The objectives of the strategic focus on Discipline are to provide measures to determine the public perception on the level of PNP's performance in enforcing discipline, law and order; review the implementation of new Individual Performance Evaluation Report (IPER) system; institutionalize new mechanisms and safeguards (digitized storage) in fast-tracking administrative cases; and establish one PNP clearance system, nationwide.

In line with the new strategic thrust on discipline, there is a need to raise the current LOI 21/08 (PATNUBAY II) to a higher level of discipline, which shall not only focus on cleansing the ranks of misfits but also on institutionalizing the commitment to duty through the IPER system, the simplification of the disciplinary machinery to fast-track the resolution of administrative cases and to establish a nationwide clearance system to facilitate the processes regarding promotion, retirement, vacation and mandatory leaves, and other procedures, which need disciplinary clearance.

Hence, the PNP hereby institutionalize and codify all disciplinary policies to sustain the implementation of

existing disciplinary policies and at the same time introduce reforms to operationalize the IPER as a measure of work commitment; to monitor and fast track the resolution of administrative cases; and to establish nationwide clearance system to simplify personnel requirements and transactions.

III. PURPOSE:

This PNP MC shall amend the existing LOI 21/08 (PATNUBAY II) to include the new policies on discipline issued by the Civil Service Commission (CSC), National Police Commission (NAPOLCOM) and Philippine National Police (PNP).

IV. DEFINITION OF TERMS:

a. Absence Without Official Leave (AWOL) – In general, it refers to the status of official or employee who absents himself from work without an approved leave of absence.
b. Acknowledgement Receipt of Equipment (ARE) – A documented verification that goods have been received or services have been rendered. It is indicated by the recipient's signature on a bill of lading, an invoice or another form.
c. Certificate of Finality – It is a written document issued by the Disciplinary Authority concerned certifying that an Order or decision is final and executory because the respondent failed to file an MR within the required period, or the motion was denied and the respondent did not appeal. The Certification must include copy of the proof of service in chronological order, duly authenticated by the C, RPHRDD.
d. Certificate of Implementation – It is a written document issued by the concerned Disciplinary Authority certifying that an Order, Decision or Resolution is subject for implementation either because of the denial of an MR, or pendency of an appeal from an Order or Decision with a penalty or the absence of a Temporary Restraining Order (TRO), Preliminary Injunction or Prohibition. The certification must include copy of the proof of service and / or notice, in chronological order, duly authenticated by the C, RPHRDD.
e. Case Monitoring and Case System – a central database of administrative and criminal cases, and clearances of the PNP.
f. Dropping from the Rolls – A non-disciplinary administrative sanction by which the name of the PNP personnel is deleted from the roster of personnel.
g. Individual Performance Evaluation Rating (IPER) – used to assess the performance of PNP personnel in terms of his/her contribution to the attainment of the PNP mission and vision, his/her skills, competencies and attitude towards work.
h. Just Debt – shall apply only to claims with court adjudication or an obligation admitted by respondent.
i. PNP Personnel – Uniformed and Non-Uniformed members of PNP in active service.
j. Probable Cause – refers to the existence of such facts and circumstances as would excite the belief, in a reasonable mind, acting on the facts within the knowledge of the investigating officer, that the PNP member complained of is liable for the administrative offense for which he should be formally investigated.
k. Reinstatement – is the issuance of an appointment to a person who has been previously appointed to a position in the career service and who has, through no delinquency or misconduct, been separated therefrom or to one who has been exonerated of the administrative charges unless the decision exonerating him specifies restoration to his previous position.
l. Restrictive Custody – refers only to nominal restraint which is beyond the ambit of habeas corpus. It is neither actual nor effective restraint. It is a permissible precautionary measure to assure the PNP authorities that the police officer concerned is always accounted for.
m. Suspension – A temporary cessation from work.
n. Termination Proceedings – The conduct of investigation or review of the case against any PNP member under

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temporary status (PO1/ Technical and Line Lateral Officers) who manifested unsatisfactory conduct or performance or committed administrative offenses which could warrant termination of service.

V. GUIDELINES:

a. Concept of Operations

In accordance with the strategic focus on discipline, all phases of enforcing discipline to every PNP personnel shall be incorporated to this version of PATNUBAY III. This PNP MC shall cover issues on imposition of discipline, law and order from the first day of police work of every PNP personnel until his/her service shall be severed by lawful cause or his/her retirement date. There will be four (4) phases of discipline which shall govern all stages of PNP career development starting from the probationary period to official performance of duty and until the retirement stage of PNP personnel. The first phase is the Preventive Phase wherein measures are designed to instill discipline to PNP personnel in every aspect of policing. The second phase is the Investigation and Adjudication Phase which shall deal with the reforms in procedures to fast track the resolution of administrative cases. The third phase is the Reformation aspect which pertains to the measures to reintegrate the PNP core values and discipline to concerned PNP personnel and units. The fourth phase is the Case Monitoring and Clearance System to simplify the personnel transaction and processes.

1)

Preventive Phase

a)

All PNP offices/units shall conduct a monthly inspection on all PNP personnel for accounting of individual's well grooming, issued firearms, Individual Performance (IP) Card, Miranda Doctrine Card and other uniform paraphernalia;

b)

All RPHRDD/RPMD/ARMD shall conduct a five (5) day orientation training to all newly appointed PNP personnel (recruit/lateral/PNPA graduates) before undergoing Field Training Program (FTP) to provide guidance on proper police decorum, the nature of police work and the expected performance as police personnel;

c)

All PNP offices/units shall require all personnel to draft their own IP Card based on the actual duties and responsibilities within the said office and the performance of identified duties and responsibilities shall be the basis for IPER to be submitted semi-annually;

d)

All PNP offices/units shall strictly comply with CMC No. 19-2013 re PNP Review and Compliance Committees (RCC) and Policy Guidelines and Procedures on Accomplished Statement of Assets, Liabilities and Networth Forms;

e)

All PNP offices/units shall establish a Quality Service Lane (QSL), a version of “Isumbong mo kay Tsip” or “Subukan Nyo Po Kami” or a similar reporting system thru SMS (text 2920) for the public to air their complaints

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and to report any crime incident in the area which shall be acted upon with speedy disposition by concerned offices;

f)

All PNP offices/units shall include in the Police Information Continuing Education (PICE) the topics on ethical standards and decorum, human rights and anti-graft and corrupt practices in order to mold and instill unit discipline among its personnel;

g)

All PNP offices/units shall strictly comply with the CMC re “Prescribing the Policies and Procedures Governing the Placement of Second (2nd) Level Uniformed Personnel” to promote simplified and transparent system of transferring personnel from one office to another;

h)

All PNP personnel who shall be relieved from present assignment/ designation/position shall conduct formal inventory of all records/ documents/property under his/her custody in the presence of his immediate supervisor and shall turn-over the same to his/her successor in the position prior to the issuance of a property clearance;

i)

All PNP personnel who shall be designated/assigned in a certain position shall conduct inventory to counter-check the records/documents/property of such unit and receive the same from his/her predecessor;

j)

In case no inventory and proper turn-over has taken place, the successor has the duty to conduct the inventory and initiate appropriate charges against the predecessor;

k)

All PNP offices/units shall comply with NMC No. 2010-004 and NMC No. 2012-002, a transparent criteria and procedures on giving incentives, awards and rewards as well as promotion by position and rank based on merit and fitness;

l)

All PNP offices/units shall strictly observe the simplified procedure on personnel transaction of Directorate for Personnel and Records Management (DPRM);

m)

All PNP offices/units shall submit request for random drug test and physical and mental examination of their respective personnel to the PNP Health Service (HS) and PNP Crime Laboratory Group (CLG), annually;

n)

The PNP HS and CLG shall schedule the annual random medical and neuro-psychiatric test and drug test respectively, to all PNP personnel;

o)

All results of random medical and neuro-psychiatric test and drug test shall be submitted to DPRM for consolidation and for proper disposition within the required period as mandated by pertinent rules and regulations,

especially in cases of “positive” result;

p)

All PNP offices/units shall conduct a quarterly inventory of administrative and criminal records of all personnel with complete details and status and submit the same to DPRM for establishment of database for Case Monitoring and Clearance System;

q)

Discipline of NUPs shall be in accordance with the URACCS or RRACCS, which is in force at the time of the commission of the offense;

r)

Jurisdiction over administrative cases against NUP shall be vested with their respective appointing authority (Regional Director (RD) or Chief, PNP, as the case may be); and

s)

All PNP personnel shall be required to update their contact information (home address, e-mail addresses and phone numbers) annually. The DPRM, through RPHRDD, DPHRDD, ARMD of all offices/units shall ensure compliance hereof.

2)

Investigation and Adjudication Phase

a)

All Pre-Charge Evaluation Report initiated by DIDM shall be submitted for approval by the Deputy Chief for Administration pursuant to the delegation of authority bestowed upon him by the Chief, PNP and in observance of the impartiality principle of prosecution aspect of all administrative cases;

b)

All Pre-Charge Evaluation Report initiated in the Police Regional Offices (PROs) and National Support Units (NSUs) shall be submitted and approved by the respective Regional Directors and Directors of said office/unit;

c)

Newly appointed PNP personnel (recruit/lateral/PNP Academy graduate) who commits any violation while still in temporary status shall be subjected to termination proceedings as provided under the applicable circular, NMC No. 2007-009 for recruits and NMC No. 2008-006 for lateral entrants;

d)

All referrals or complaints against uniformed PNP personnel shall comply with the documentary requirements as provided by NMC No. 2007-001 and shall be submitted for evaluation for determination of probable cause within three (3) working days from the date of its submission for evaluation. In case of NUPs, the procedures on preliminary investigation under Rule 4 of the RRACCS shall be complied with;

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e)

All complaints filed against PNP Non-Uniformed Personnel shall be evaluated for determination of probable cause within 20 working days pursuant to the RRACCS;

f)

All PNP offices/units shall initiate administrative proceedings against all their personnel with pending criminal case. In cases where the PNP personnel had not been subjected to an administrative proceeding during the pendency of his/her criminal case where he was later adjudged as guilty, the appropriate administrative charges should be filed against that personnel;

g)

All personnel detained by reason of criminal charges filed against them shall be placed under automatic leave of absence without pay;

h)

All complaints filed for purely "non-payment of debt" should be accompanied by any documentary evidence proving that the obligation due is considered "just debt". As defined in the RRACCS, "Just Debt" shall apply only to claims with court adjudication or an obligation admitted by respondent (this provision only applies to NUP respondents);

i)

Following the case law in Madrid vs Auditor General (108 Phil 578) "a person claiming his right to a position in the Civil Service must institute the proper proceedings to assert his right within the period of one (1) year from the date of separation, otherwise, he will be considered as having abandoned his office or even acquiesced or consented to his removal and therefore not entitled to bring action for his reinstatement";

j)

All decisions granting the Motion for Restoration/Reinstatement (MR) on Dropped From Rolls (DFR) cases shall include an order for the respondent to be subjected to physical and mental examination and drug test and shall be subjected to Pre-Charge, and Summary Hearing Proceedings, as the case warrants. Prior to the issuance of Reinstatement orders, the respondent must have passed the drug test and Neuro-Psychiatric (NP) examination, otherwise, he/she shall be separated or retired from the PNP pursuant to Section 14 of R.A. No. 8551, amending Section 30 of R.A. No. 6975. Provided that reinstatement of personnel pursuant to the decisions rendered by appellate bodies (National Appellate Board, Regional Appellate Board, Secretary of Interior Local Government, CSC, Court of Appeals and Supreme Court) which had attained finality, shall be immediately implemented as a matter of course, without requiring the reinstated personnel to pass NP and Drug Tests.

k)

No order Lifting the Absent Without Official Leave (AWOL) status shall be issued upon the return of the personnel who had been ordered AWOL. Instead an order of return to active duty shall be issued with an indication that the subject is assigned to Personnel Holding and Accounting Unit (PHAU), pending the resolution of the administrative proceedings initiated against him/her;

l)

All reported AWOL cases should be referred for Pre-Charge Evaluation and may be subjected to Summary

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Hearing Proceedings despite continuous absence of the respondent;

m)

No personnel in AWOL/DFR status shall be entitled to receive his/her salary, pay and allowances under the principle of “No work, No pay”. The Heads of Offices shall be responsible in monitoring the stoppage of salary, pay and allowances from the date of the effectivity of AWOL/DFR order;

n)

All personnel ordered AWOL shall not receive any salary, pay and allowances from the effectivity of AWOL order;

o)

All personnel ordered AWOL or DFR shall be verified before the Office of Bureau of Immigration (BI) for possible travel activities during the period of their unauthorized absences. A verification of the travel activities of a personnel declared on AWOL status must first be obtained from the BI, which will serve as basis in resolving a Motion to lift DFR/AWOL status or appeal for reinstatement. A positive finding from the BI of travel abroad during the period of his/her AWOL shall be a ground for the denial of the motion/Appeal for Reinstatement;

p)

In case of non-appearance of respondent uniformed personnel despite due notice, the proceedings shall proceed ex-parte and a decision shall be rendered imposing the maximum penalty (Dismissal from the Service) in cases of AWOL or prolonged unjustifiable absences for more than 30 days, (Serious Neglect of Duty). Service of Notice and Summons must in accordance with Rule 18, NMC No. 2007 -001 in cases against uniformed personnel;

q)

In case of Reinstatement, the number of days on AWOL shall be deducted on the years of service rendered by PNP personnel which shall negatively affect the Senior Lineal Listing ranking of concerned personnel. Moreover, in the event that the personnel who went on AWOL had received a salary despite the AWOL, the number of days on AWOL for which a salary was received shall be deducted from the personnel’s leave credit;

r)

All restrictive custody shall be issued only by duly authorized officer provided by law. Such order shall be terminated upon the termination of administrative case or issuance of Warrant of Arrest by court of proper jurisdiction or upon issuance of order lifting the restrictive custody by the issuing authorized officer;

s)

All respondents under restrictive custody shall be under the custody of Headquarters Support Service or its equivalent unit in the PROs who shall be responsible for the accounting and securing of the subject personnel;

t)

Except in cases where the involved personnel is a non-uniformed personnel and his/her penalty is dismissal from the service, a Certificate of Implementation shall be issued by the DPRM, or equivalent office in the PROs and NSUs, after the denial of the Motion for Reconsideration filed by a PNP personnel against the Decision of the Disciplinary Authority on his/her administrative case. The implementation shall immediately follow.

u)

All decisions of Disciplinary Authorities reversed by appellate bodies shall be appealed by the concerned prosecuting office/unit within the prescribed period;

v)

All Disciplinary Authority shall issue a Certificate of Finality when no motion for reconsideration or Appeal was filed or taken by the adversely affected party after ten (10) calendar days from the receipt of the Decision by that same party. The implementation shall immediately follow.

w)

In case the penalty of suspension is imposed, the respondent uniformed personnel shall turn-in his issued firearm, ammunition and other paraphernalia covered by an Acknowledgment Receipt of Equipment to his/her immediate supervisor (Chief of Police/Division Chief/Director, NSU, Group Leader) who will then indorse the said equipment to the Supply Accountable Officer (Regional SAO/District SAO/Logistics Officer) for safekeeping. The subject equipment shall only be re-issued to the suspended uniformed personnel upon the latter's return to active duty;

x)

Jurisdiction over administrative cases against NUPs shall be vested with their respective appointing authority (Regional Director or CPNP, as the case may be);

y)

Decisions of D, NSUs on administrative cases involving Grave or serious offenses where the penalty imposed is either dismissal, demotion, or suspension, forfeiture of salary, restrictive custody, withholding of privileges or any combination thereof for a period of more than 30 days shall be submitted to DPRM (Attn: Discipline, Law and Order Division) for confirmation by the Chief, PNP to preclude more appeals and adverse decisions from SILG (Basis: Letter from SILG dated July 8, 2011, as cited in CPNP Memorandum dated December 12, 2011);

z)

Orders, Decisions or Resolutions promulgated by PNP Disciplinary Authorities shall only be implemented upon issuance of a Certificate of Implementation or Certificate of Finality, except those issued by the Office of the Ombudsman which shall be implemented upon receipt thereof;

aa)

Summary Dismissal Cases decided by District Directors, NCRPO wherein the imposable penalty is dismissal from the PNP service shall be submitted to RD, NCRPO for confirmation;

bb)

All approved Decisions of Disciplinary Authorities against uniformed personnel shall be furnished the DIDM, RIDMD and DIDMD for consideration of the aggravating circumstances of repeatedly charged and recidivism as defined under Section 1, Rule 2 of NMC No. 2007-001;

cc)

The penalty of maximum suspension [six (6) months] shall be imposed on PO1 respondents in summary dismissal cases (grave offenses) where the appropriate penalty is in the medium period [One (1) Rank Demotion]. Accordingly, the decision should be submitted for confirmation by the C,PNP;

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dd)

All Summary Dismissal Proceedings or Administrative Cases for Grave offenses decided by RDs and D, NSUs against PCOs shall be submitted to the OCPNP for confirmation; and

ee)

Decisions of RDs imposing the penalty of six (6) months or 180 days suspension shall be submitted to the OCPNP for confirmation.

ff)

The Notice of Appeal and/or Memorandum on Appeal without proof of service to the other party shall not be accepted.

3)

Reformation Phase

a)

All PNP personnel reinstated shall be assigned at Personnel Holding and Accounting Unit (PHAU) of respective offices/units and shall be required to undergo medical and physical examination and drug test;

b)

All the results of the medical and physical examination and drug test shall be required and form part of compliance for restoration of salary and reassignment to field units;

c)

All PNP offices/units shall request for seminar on stress management from PNP HS at least once a year;

d)

The DPRM shall draft decorum policies covering minor offenses (first time offenders) such as non-attendance of flag raising/lowering, daily accounting and non-wearing of proper uniforms not specifically covered by disciplinary policies including therein the penalty of rendering community service or additional 24 hour office duty or cleaning duty/garbage disposal, to declog the docket;

e)

The DPRM in coordination with DIDM, DHRDD and PNPTS shall conduct an annual three (3) days training for Summary Hearing Officers (SHOs), Pre-Charge Evaluators (PCEs) and Discipline, Law and Order Division/Sections (DLOD/DLOS) personnel clustered for Luzon, Visayas and Mindanao regions;

f)

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All PCOs with the rank of PCINSP and above shall be included in the list/pool of Summary Hearing Officers as part of the duties and responsibilities to keep them abreast with the current disciplinary policies of the PNP;

g)

All aspirants for position of Provincial Director or City Director shall submit a certification for having been an SHO or C, DLOS or C, PCEIS or reviewing authority of administrative cases as requirement for his nomination to the position;

h)

All SHOs shall receive an amount of Php2,000 per case to defray the expenses for the conduct of summary hearing proceedings and other administrative requirements to ensure the strict compliance with the 60- day requirement of resolving administrative case;

i)

All drafters and reviewers (within DLOD/DLOS) in NHQ/PROs/NSUs shall receive an incentive in the amount of Php400 pesos each per case;

j)

All drafters and reviewers shall comply with the quota system of at least one (1) complete draft decision (for original administrative case) or draft resolution (for Motion for Reconsideration/Restoration or Appeal) which shall be submitted per day for approval and signature of the disciplinary authority;

k)

All recorders and stenographers during summary hearing proceedings shall receive an incentive in the amount of Php250 pesos per case and shall assist the SHO in the compliance with the 60 day prescribed period of submission of resolution;

l)

All RPHRDD/RPMD/ARMD thru TDPRM shall request for the conduct of annual training, as well as funds for incentives of the SHOs, drafters, reviewers, recorder and stenographers who shall be involved in the drafting of decision/resolution to be approved and signed by the Disciplinary Authority;

m)

All PNP personnel who shall be assigned with PCEID/S and DLOD/S must have basic Criminal Investigation Course or SHO-PCE-DLOD training;

n)

All aggravating circumstances attendant in each case shall be incorporated in the charge sheet and/or Pre-Charge Evaluation report or pleaded in the pleadings to be filed by prosecutors in administrative cases;

o)

Case conference for grave offenses/sensational cases is encouraged to be presided by Ex-O, DPRM or RCDS, PROs to be attended by C, PCE, SHO/LAD, IAS and SLO/C, RLS and C, DLOD/DLOS should serve as secretariat; and

p)

All PNP personnel who were separated from the service thru dropping from rolls and have withdrawn their commutation of accumulated leave credits should be considered to have abandon their office and shall no longer be entitled to reinstatement.

4)

Case Monitoring and Clearance System

a)

The DPRM thru DLOD in coordination with the ITMS and PAIS shall establish a database of administrative and criminal cases for Case Monitoring and Clearance System (CMCS) of the PNP;

b)

The CMCS shall include “red flag” information about PNP personnel pertaining to their involvement in violation of “one strike policy” and other illegal activities as validated by ODI; violation of “no take policy” and “Crime Volume Reporting System” as evaluated by ODIDM; violation of R.A. 9165 which includes bungling of drug cases and non-appearance in court hearing as determined by AIDSOTF; and awards/commendations and other exemplary recognitions as recorded by RMD, DPRM;

c)

The record of PNP personnel shall be reflected in his clearance/PAIS record and identifiable by a “Red Flag”;

d)

The DPRM thru DLOD shall maintain a database of all administrative and criminal cases including other administrative actions imposed against PNP personnel and shall conduct appropriate action for prompt implementation of decisions/resolutions/orders rendered by PNP, PLEB, OMBUDSMAN and

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SANDIGANBAYAN;

e)

All PNP units shall maintain a secured storage of case folders and shall be maintained/controlled by accountable DLOD personnel;

f)

All PNP office/units shall conduct proper turn-over and inventories in cases of the accountable personnel is relieved or reassigned;

g)

All PNP offices/units shall submit every first five days of the month an update on the administrative and criminal cases filed against PNP personnel within their AOR;

h)

All PNP offices/units shall coordinate with the Regional NAPOLCOM, local courts, OMBUDSMAN and PLEB within their AOR to extract any records of administrative and criminal cases filed against PNP personnel to be part of monthly compliance;

i)

All PNP offices/units shall establish a database on administrative and criminal cases following the ITMS program and upload the same to the DLOD, DPRM for case monitoring and clearance system;

j)

All PNP offices/units shall scan all case folder for electronic storage of cases and upload the same to DLOD, DPRM for record digitization;

k)

All PNP offices/units shall allocate computer equipment and scanner intended solely for case monitoring and digitization of case folders or electronic scanner; and

l)

The DPRM shall conduct an annual three-day training in coordination with ITMS, DHRDD and PNPTS for installation and maintenance of database of administrative and criminal cases to all encoders in the PROs grouped

in Luzon, Visayas and Mindanao clustered venue.

b. Tasks

1)

DPRM

-

Shall be the OPR of this PNP MC (PATNUBAY III);

-

Shall draft PNP Disciplinary Code covering all disciplinary policies, issuances and directives issued by PNP, NAPOLCOM, CSC and other authorities;

-

Shall draft PNP Decorum for minor offenses to be observed by every PNP offices/units;

-

Shall establish case monitoring and clearance system;

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Shall establish case digitization database;

-

Shall monitor the implementation of IP CARD and IPER system;

-

Shall request for funds and spearhead the implementation of the activities specified in this PNP MC;

-

Shall draft a simplified process of issuance of national clearance to all PNP personnel for personnel transaction;

-

Shall request and allocate funds for the incentives of SHOs, drafters and reviewers of DLOD involved in the preparation of decision and resolution to be approved and signed by CPNP; and

-

Perform other tasks as directed.

2)

DIDM

-

Shall assist the DPRM in establishing the case monitoring and clearance system;

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-

Shall encode all Pre-Charge Evaluation cases filed against PNP personnel;

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Shall encode criminal cases filed against PNP personnel;

-

Shall participate in the training of SHOs, PCEs and DLOD's drafters and reviewers; and

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Perform other tasks as directed.

3)

DC

-

Shall provide and allocate fund for implementation of this PNP MC; and

-

Perform other tasks as directed.

4)

DI

-

Shall assist in the verification and case build-up as deemed necessary;

-

Shall encode all cases pertaining to violation of "one strike policy" and other validated illegal activities committed by PNP personnel; and

-

Perform other tasks as directed.

5)

DO

-

Shall provide support in the implementation of PNP MC PATNUBAY III; and

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-

Perform other tasks as directed.

6)

DL

-

Shall provide support in the implementation of PNP MC PATNUBAY III; and

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Perform other tasks as directed.

7)

DPCR

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Shall assist in the monitoring of implementation of PNP MC PATNUBAY III; and

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Perform other tasks as directed.

8)

DICTM

-

Shall provide technical support in the establishment of case monitoring and clearance system; and

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Perform other tasks as directed.

9)

DHRDD

-

Shall provide assistance in the review and evaluation of program of instruction and PNP Decorum to be endorsed by DPRM in compliance with this PNP MC;

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Shall draft training directives for approval of Program of Instruction, fund request, schedule and dissemination to concerned offices/units; and

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Perform other tasks as directed.

10)

TS

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Shall schedule the above mentioned trainings/seminars; and

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Perform other tasks as directed.

11)

IAS

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Shall conduct investigation, Pre-Charge Evaluation and summary hearing proceedings;

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Shall encode all administrative and criminal cases initiated by their office and its field offices;

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Shall submit the recommendation and draft decision for approval and signature of the proper disciplinary authority;

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Shall assist in establishing database of PNP personnel with administrative and criminal cases to be incorporated in case monitoring and clearance system; and

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Perform other tasks as directed.

12)

HS

-

Shall conduct mental and physical examination to all reinstated from AWOL or DFR PNP personnel;

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-

Shall schedule and conduct annual random mental and physical examination to all PNP personnel;

-

Shall submit program of instruction and other requirements for the conduct of annual unit stress management seminar to all PNP offices/units; and

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Perform other tasks as directed.

13)

CLG

-

Shall schedule and conduct annual random drug test and render reports to DPRM; and

-

Perform other tasks as directed.

14)

CHS

-

Shall submit program of instruction on spiritual reformation for unit training; and

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Perform other tasks as directed.

15)

HRAO

-

Shall submit program of instruction on human rights for unit training; and

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Perform other tasks as directed.

16)

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LS

-

Shall provide legal assistance in the implementation of this PNP MC PATNUBAY III;

-

Shall assist in the drafting of PNP Disciplinary Code; and

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Perform other tasks as directed.

17)

PCRG

-

Shall provide support in the proper implementation of PNP MC PATNUBAY III to all PNP offices/units; and

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Perform other tasks as directed.

18)

CIDG

-

Shall draft a system on verification of PNP personnel with criminal charges;

-

Shall initiate appropriate administrative charges on all PNP personnel charged with criminal cases;

-

Shall coordinate with local courts to extract data on PNP personnel with criminal charges and submit the same to DPRM for case monitoring and clearance system; and

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Perform other tasks as directed.

19)

PIO

-

Shall provide assistance in the implementation of this PNP MC; and

-

Perform other tasks as directed.

20)

ITMS

-

Shall provide technical assistance in designing the program for case monitoring and clearance system; and

-

Perform other tasks as directed.

21)

AIDSOTF

-

Shall encode all cases involving PNP personnel who violated R.A. 9165, engaged in bungling of drug cases and committed Serious Neglect of Duty for failure to attend court hearing; and

-

Perform other tasks as directed.

22)

HSS/PHAU

-

Shall submit monthly reports to DPRM on accounting of those under restrictive custody; and

-

Perform other tasks as directed.

23)

PROs/NSUs

-

Shall prepare their respective IMPLAN to this PNP MC and submit the same to DPRM for consolidation and monitoring of its implementation;

-

Shall impose quota and incentive system as specified in this PNP MC;

-

Shall request for funds for the equipment needed for establishment of online database of administrative and criminal cases;

-

Shall request for fund for the incentives of SHOs and drafters and reviewers of their respective DLOS;

-

Shall submit an inventory of the approved and signed decision with names of SHOs and drafters and reviewers of their respective DLOS;

-

Shall request for continuous unit training, stress management seminars and enhancement training for all SHOs and drafters and reviewers of DLOS; and

-

Perform other tasks as directed.

c. Coordinating Instructions:

1)

Delegation of Authority – The Chief, PNP hereby delegates his authority to TDCA as approving authority for all Pre-Charge Evaluation Report originating from DIDM to monitor the prosecution of all administrative cases and to handle appellate action as deemed necessary;

2)

All administrative adjudication involving serious/grave offenses filed against PCOs and NUPs (SG 1 to 17) shall be approved and signed by the Chief, PNP pursuant to the principle of the “power to appoint (hire) comes with the power to dismiss”;

3)

The DPRM thru DLOD is hereby authorized to coordinate with concerned offices/units for verification and issuance of one (1) national clearance for all PNP personnel purposely for promotion, transfer, placement, leave abroad, official travel abroad, UN deployment, restoration and retirement as part of simplification of processing of necessary documents; and

4)

All offices who shall conduct the above enumerated trainings/seminars shall submit their respective Program of Instruction and budget requirements to DPRM for consolidation and submission of the same to DHRDD for

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approval of the CPNP thru the concurrence of TDC and Command Group.

VI. RESCISSION:

All existing PNP directives and other issuances which are contrary to or inconsistent with this directive are hereby rescinded or modified accordingly.

VII. SEPARABILITY CLAUSE:

Any portion of this PNP Memorandum Circular inconsistent with the organic law or declared unconstitutional shall not affect the validity of other provisions.

VIII. EFFECTIVITY:

This circular shall take effect upon the filing of a copy hereof with the Office of National Administrative Register (ONAR), UP Law Center pursuant to Sections 3 and 4 of the Administrative Code of 1987.

(SGD) ALAN LA MADRID PURISIMA
Police Director General
Chief, PNP

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