

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



HOUSE
H. B. NO. 4758

Introduced by Representative Henry S. Oaminal

EXPLANATORY NOTE

It has been commonly observed that in instances where the police fail to forthwith solve a crime, they promptly and facetiously tag the suspects with appellations or monikers which dovetail with the manner of the commission of the crime.

Thus, when a popular jewelry shop was robbed by breaking the glass enclosure with hammers the perpetrators were quickly named the Martilyo Gang. When another gem robbery wrenches were used to crush the glass container, they were swiftly appended the Wrench Gang.

But even worse and far more unwarranted is the police predilection to identify criminals and gangsters from their suspected places of origin. Thus, we have the Ozamiz Gang, the Ilonggo Gang and the Waray Waray Gang, to name a few. Simply because the suspects have that regional diction or are friends with one or two from the area, they are dabbed as such.

This police predisposition does not only smear and besmirch the name of the town or city but also the innocent people therein. Imagine being tagged as the town mate or barangay mate of a certain criminal. Certainly, there can be far more congruous and congruent ways for the authorities to label felons and criminals.

This bill therefore seeks to prevent police authorities and other law enforcement agencies from using the names of places of origin of suspects in describing in crime suspects, felons, wrongdoers, offenders and other malefactors.

In view of the foregoing, early passage of this bill is earnestly requested.

A handwritten signature in black ink, which appears to be "Henry S. Oaminal", written over a circular stamp.

ATTY. HENRY S. OAMINAL
Representative
2nd District, Misamis Occidental

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HOUSE OF REPRESENTATIVES

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AN ACT

PROHIBITING THE PHILIPPINE NATIONAL POLICE (PNP) OR ANY LAW ENFORCEMENT AGENCY FROM DESIGNATING NAMES OF GANGS OR CRIMINAL GROUPS TO THEIR HOMETOWN, REGION OR ETHNIC COMMUNITIES, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Declaration of Policy. It is hereby declared the policy of the State to promote the general welfare of the citizens, value their dignity and guarantee full respect for their rights by protecting them from being cast out due to the notoriety of the gangs attributed to their place of residence.

SEC. 2. Prohibition on Designating Places as Names of Gangs or Criminal Groups. The Philippine National Police (PNP) or any law enforcing agency are hereby prohibited from designating names of gangs or criminal groups using the name of the place where they are found.

SEC. 3. Penalty. Any person or members of any law enforcing agency who violates the provisions of Section 2 hereof shall suffer the penalty of prison correccional.

SEC. 4. Separability Clause. If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provisions thereof shall be affected thereby.

SEC. 5. Repealing Clause. All laws, rules and regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. Effectivity. This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,