

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

House Bill No. 9959



Introduced by MAGDALO Party-List Representative
HON. MANUEL DG. CABOCHAN III

EXPLANATORY NOTE

Law enforcement personnel have been involved in thousands of killings both on- and off-duty. Sadly, the Philippines is no stranger to these tragedies. The Philippines ranked third among the countries with the highest number of police killings in 2021 with 3,451 cases.¹ According to the 2020 official government figures, the Philippine National Police (PNP) and Philippine Drug Enforcement Agency (PDEA) combined killed 5,903 individuals during anti-drug operations. These numbers did not include extrajudicial killings and forced disappearances driven by the climate of impunity and violence in the country. The United Nations Office of the High Commissioner for Human Rights put the death toll at 8,663, although the real figure could be tripled according to the Commission on Human Rights.²

In April 2020, Police Master Sergeant Daniel Florendo Jr. shot and killed ex-Army corporal Winston Ragos. The former Army personnel was deemed to have been suffering from shell shock and had a mental health problem. Meanwhile, in December 2020, Senior Master Sergeant Jonel Nuezca shot mother-and-son civilians Sonia and

¹ World Population Review. Police Killings by Country 2021. Data retrieved from <https://worldpopulationreview.com/country-rankings/police-killings-by-country>.

² Human Rights Watch. Philippines Events of 2020. Information retrieved from <https://www.hrw.org/world-report/2021/country-chapters/philippines>

Frank Gregorio in point-blank range over a heated argument. These are some of the recent cases of police killings against civilians.

Article II, Section 4 of the 1987 Constitution states that, "The prime duty of the government is to serve and protect the people." It is therefore expected that the PNP shall always enforce the law and maintain peace and order both with prudence and maximum tolerance. Having a healthy mind and body is essential for members of the PNP to effectively fulfill their duties.

To ensure that members of the PNP are fit in all aspects, this measure seeks to mandate annual psychiatric, psychological drug and physical tests for police officers without notice. Members of the PNP whose work expose them to traumatic situations shall be subjected to stress debriefing for the purpose of preventing mental health disorders. This is one way to take care of the police and, by extension, the safety of the general public.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



MANUEL DG. CABOCHAN III

Representative

Magdalo Para Sa Pilipino Party-List

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

Third Regular Session

House Bill No. 9959

Introduced by MAGDALO Party-List Representative

HON. MANUEL DG. CABOCHAN III

AN ACT

**MANDATING ANNUAL PSYCHIATRIC, PSYCHOLOGICAL DRUG AND
PHYSICAL TESTS FOR POLICE OFFICERS, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 6975, AS AMENDED, AND FOR OTHER PURPOSES**

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

1 SECTION 1. Section 30 of Republic Act No. 6975, as amended, is hereby further
2 amended to read as follows:

3
4 "SEC. 30. General Qualifications for Appointment.— No person shall be
5 appointed as officer or member of the PNP unless he or she possesses
6 the following minimum qualifications:

7 (a) A citizen of the Philippines;

8 (b) A person of good moral conduct;

9 (c) Must have passed the psychiatric/psychological, drug and physical tests to
10 be administered by the PNP or by any NAPOLCOM accredited government
11 hospital for the purpose of determining physical and mental health;

- 1 (d) Must possess a formal baccalaureate degree from a recognized institution
2 of learning;
- 3 (e) Must be eligible in accordance with the standards set by the Commission;
- 4 (f) Must not have been dishonorably discharged from military employment or
5 dismissed for cause from any civilian position in the Government;
- 6 (g) Must not have been convicted by final judgment of an offense or crime
7 involving moral turpitude;
- 8 (h) Must be at least one meter and sixty-two centimeters (1.62m) in height for
9 male and meter and fifty-seven (1.57m) for female;
- 10 (i) Must weigh not more or less than five kilograms (5 kgs.) from the standard
11 weight corresponding to his or her height, age, and sex; and
- 12 (j) For a new applicant, must not be less than twenty-one (21) nor more than
13 thirty (30) years of age: except for the last qualification, the above-
14 enumerated qualifications shall be continuing in character and an absence
15 of any one of them at any given time shall be a ground for separation or
16 retirement from the service: Provided, That PNP members who are already
17 in the service upon the effectivity of this Act shall be given at least two (2)
18 more years to obtain the minimum educational qualification and one (1)
19 year to satisfy the weight requirement.

20

21 For the purpose of determining compliance with the requirements on physical
22 and mental health, as well as the non-use of prohibited drugs, the PNP by itself or
23 through a NAPOLCOM accredited government hospital shall conduct [~~regular~~]
24 **ANNUAL** psychiatric, psychological drug and physical tests [~~randomly and~~] without
25 notice.

26

27 **PROVIDED, THAT, PNP OFFICERS AND MEMBERS WHOSE**
28 **OPERATIONAL WORK EXPOSE THEM TO TRAUMATIC SITUATIONS SHOULD,**
29 **AFTER SUCH OPERATIONS, BE SUBJECTED TO STRESS DEBRIEFING FOR**
30 **THE PURPOSE OF PREVENTING MENTAL HEALTH DISORDERS."**

31 XXX

1 Sec. 2. *Repealing Clause*.— The provisions of other laws decrees executive
2 orders, rules and regulations inconsistent with this Act are hereby repealed, amended,
3 or modified accordingly.

4
5 Sec. 3. *Effectivity*.— This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or in at least two (2) national newspapers in general
7 circulation.

Approved,