

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

House Bill No. 9446



Introduced by **Hon. Robert Ace S. Barbers**

**AN ACT PROMOTING THE SPEEDY DISPOSITION OF DRUG CASES BY
CREATING A SPECIAL COURT TO BE KNOWN AS THE "DANGEROUS DRUG
COURT" IN EVERY CITY AND PROVINCE NATIONWIDE, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Drug cases have taken over Philippine courts over the last 10 years especially when the government declared an all-out war against drug trafficking during the incumbency of former President Rodrigo Duterte.

Based on the available data of the Philippine Drug Enforcement Agency (PDEA), there were 405,062 drug cases filed in court from 2002 to 2022. These cases include those filed by PDEA as well as other law enforcement agencies such as the PNP and the NBI. Out of this figure, only 28% or 114,610 cases have been resolved or have been handed out decision by the judiciary. About 300,000 drug cases or approximately 72% have remained pending in courts as we speak.

The seeming delay in the resolution of drug cases clearly indicates that our trial courts just can't keep up. Thus, if not properly addressed, would only lead to more clogging of court dockets impairing our already slow-paced justice system in the country.

Moreover, the House Committee on Dangerous Drugs' inquiry on the alleged drug recycling activities of some law enforcement officers, which was conducted on March 2023, found out that the PDEA and PNP have in its respective custody a total of 8,662 kilograms of shabu and 4,233 kilograms of marijuana. When they were asked to explain why they were in possession of such large volume of seized illegal drugs, they reasoned out that its destruction, as mandated by RA 9165, could not be easily done because of the difficulty in obtaining court orders due to the congestion of court dockets and/or unavailability of trial court judges who would act on it.

The delay in the issuance of court orders and processes in connection with the destruction of seized or confiscated dangerous drugs have opened a window of opportunity for rouges in uniform known as "ninja cops" to operate by recycling seized illegal drugs for the purpose of planting evidence, or worse, selling it back on the streets.

As such, this bill aims to expedite the resolution of drug cases by creating Dangerous Drug Courts in all cities and provinces, which shall exclusively hear and decide all criminal cases in their respective jurisdiction involving violations of the RA 9165, as amended, otherwise known as the "Comprehensive Dangerous Drugs Act of 2022".

It is hoped that the creation of this special body would not only address the low disposition rate of drug cases in the country but also help decongest court dockets.

In view of the foregoing, the immediate approval of this bill is earnestly sought.



HON. ROBERT ACE S. BARBERS
2nd District, Surigao del Norte

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

SECTION 1. Title. - This Act shall be known as the "Special Court For Drug Cases Act of 2023".

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to pursue an intensive and unrelenting campaign against drug trafficking and use of dangerous drugs and other similar substances to safeguard the integrity of its territory and the well being of its citizenry through the stern enforcement of anti-drug laws. Toward this end, the State shall provide an effective mechanism for the speedy administration of justice to drug offenders and the expeditious resolution of drug cases.

SECTION 3. Creation of Dangerous Drug Courts. - There is hereby created a special court for drug cases to be known as the "Dangerous Drug Court", which shall be of the same level as the Regional Trial Court, in every province and city in the country; *Provided that*, in highly urbanized cities AND in the National Capital Region (NCR), at least two (2) Dangerous Drug Courts shall be established within their respective territorial jurisdiction.

SECTION 4. Qualifications for Judges of the Dangerous Drug Courts. - Judges of the Dangerous Drug Courts shall have the same qualifications as those required of Regional Trial Court (RTC) Judges as provided under Sec. 15 of Batas Pambansa Blg. 129, as amended, and the 1987 Constitution.

SECTION 5. Jurisdiction. - The Dangerous Drug Court shall exercise original and exclusive jurisdiction to hear, try and decide cases involving but not limited to:

- a. All acts in violation of RA 9165, as amended, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002";
- c. Issuance of search warrant and warrant of arrest in connection with any violation of RA 9165, as amended; and
- d. Issuance of court orders and processes in relation to the destruction of confiscated, seized and/or surrendered dangerous drugs, plant sources of dangerous, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment, including the proceeds

or properties obtained in violation of RA 9165, as amended.

SECTION 6. Submission of Inventory Reports. – The Judges of all Dangerous Drugs Courts shall submit, a quarterly inventory report of all criminal cases involving violations of the Comprehensive Dangerous Drugs Act of 2022, as amended. The inventory shall indicate the case number, the date the information was filed; the date the accused was arraigned; the status of each case, copies of which shall be furnished the Office of the Chief Justice and the Office of the Court Administrator.

SECTION 7. Transfer of Cases. – All cases cognizable by the Dangerous Drug Court as herein provided, being heard in other courts, except those already submitted for decision/resolution shall be transferred to the said special court.

SECTION 8. Appeals. – Decisions and final orders of the court shall be appealed in the same manner as appeals from the ordinary Regional Trial Courts in accordance with the provisions of the Rules of Court.

SECTION 9. Appropriations. – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 10. Repealing Clause. – The provisions of the Batas Pambansa Blg. 129, otherwise known as “The Judiciary Reorganization Act of 1980”, as amended, and all other laws, orders, rules and regulations or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SECTION 11. Separability Clause. - If for any reason, any provision or section of this Act shall be held to be unconstitutional or invalid, the other provisions or sections hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. Effectivity. - This Act shall take effect after the IRR's approval by Congress and 15 days after their publication.

Approved,

A handwritten signature in black ink, consisting of a large, stylized 'S' or 'C' shape with a vertical line through the center, enclosed within an oval border.