

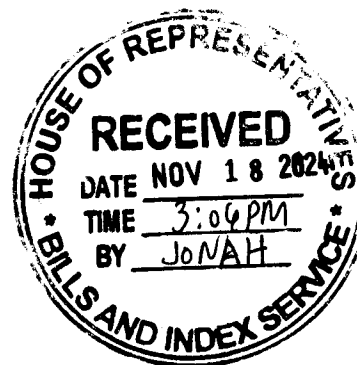


Republic of the Philippines
House of Representatives
Quezon City

NINETEENTH CONGRESS

Third Regular Session

House Bill No. 11088



Introduced by Representative Albert S. Garcia

EXPLANATORY NOTE

1 This proposed legislation, the "Body Camera and CCTV Protection Act," aims to
2 establish clear protocols for the use of body cameras and CCTV systems during police
3 operations, raids and other similar activities. It is grounded in three key objectives:
4 protecting the rights of individuals, upholding the integrity of police actions, and
5 safeguarding the welfare of all those involved.

6
7 This measure mandates that body cameras be standard equipment for all law
8 enforcement personnel during police operations. By recording the entirety of an
9 operation, we can minimize misunderstandings, reduce incidents of misconduct, and
10 provide a clear record of events should disputes arise.

11
12 Another important aspect of this bill is the prohibition on tampering with CCTV
13 systems during operations. CCTV cameras have become essential in maintaining
14 security, and any interference with them not only damages public trust but can
15 compromise the safety of individuals in high-traffic areas. By preventing law
16 enforcement from blocking or disabling these cameras, we are reinforcing a standard
17 of transparency that supports both public security and the smooth operation of
18 businesses.

19
20 In today's complex world, where the balance between security and individual
21 rights is constantly tested, it is crucial to ensure that law enforcement operates with the
22 highest level of transparency and accountability. I urge my colleagues to support this
23 measure, which is not just about technology but about fostering a culture of integrity in
24 our law enforcement practices.


REP. ALBERT S. GARCIA
Second District, Bataan



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1 **AN ACT MANDATING LAW ENFORCEMENT PERSONNEL TO WEAR A BODY**
2 **CAMERA DURING LAW ENFORCEMENT AND SPECIAL POLICE OPERATIONS,**
3 **PROVIDING GUIDELINES FOR THE USE OF BODY CAMERA AND VIDEO**
4 **FOOTAGE RETENTION, PENALIZING NON-COMPLIANCE WITH RECORDING**
5 **AND RETENTION REQUIREMENTS, AND PROHIBITING THE DISMANTLING OF**
6 **CCTV SYSTEMS DURING OPERATIONS**

7
8 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
9 *Congress assembled:*

10
11
12 **SECTION 1. Short Title.** – This Act shall be known as the "**Body Camera and CCTV**
13 **Protection Act.**"

14
15 **SEC. 2. Definition of Terms.** – As used in this Act:

16 (a) "Law enforcement officer" refers to any person authorized by law to prevent,
17 investigate, apprehend, or detain individuals suspected or convicted of offenses under
18 Philippine laws.

19 (b) "Law enforcement operation" includes the service of warrants, anti-illegal activities,
20 and similar actions.

21 (c) "Special police operation" refers to operations with a specific mission, such as
22 checkpoints, roadblocks, and hostage situations.

23 (d) "Body Camera" means a recording device worn by law enforcement personnel that
24 captures audio and video during operations.

25 (e) "Closed-Circuit Television (CCTV)" is a video surveillance system that records visual
26 footage for security monitoring.

27 (f) "Data Repository Bank" is the primary storage device for video footage from body
28 cameras and CCTV systems.

29
30 **SEC. 3. Body Camera and CCTV Use Requirements.** – (a) Body Camera Activation
31 and Deactivation – Law enforcement personnel must activate body cameras at the
32 beginning of any operation and keep them on until the operation concludes.

1 Deactivation is only permissible upon leaving the scene or with specific consent to
2 protect privacy. Officers must notify individuals that they are being recorded, except
3 when such notification may endanger their safety.

4
5 (b) Conditions for Deactivation – Officers may discontinue recording if:

- 6 1) An occupant of a private residence requests it, provided there is no warrant;
- 7 2) An apparent crime victim requests discontinuation; or
- 8 3) An individual wishes to remain anonymous in reporting a crime.

9
10 (c) Prohibition on Interference with CCTV Systems – During any law enforcement
11 or special police operation, especially raids, law enforcement officers are strictly
12 prohibited from interfering with CCTV systems located in the premises. This
13 includes tampering with or dismantling the CCTV equipment, blocking the camera's
14 view, turning or altering the angle of the camera, disabling or modifying the
15 recording function, or engaging in any action intended to prevent the capture of
16 events during the operation. The presence of an unobstructed CCTV system during
17 raids is essential to ensure the safety of all persons involved and to uphold
18 accountability among law enforcement officers. Violation of this provision will result
19 in disciplinary action and possible criminal charges.

20
21 (d) Seizure of CCTV Data – When ordered by the courts, only the data repository
22 bank of the CCTV system shall be seized, leaving the physical CCTV equipment
23 operational to maintain ongoing security surveillance.

24 25 **SEC. 4. Retention and Access to Video Footage. –**

26
27 (a) Retention Period – Body camera and CCTV footage shall be retained by the
28 respective law enforcement agencies for a minimum of six (6) months from the
29 date of recording. Footage with evidentiary or exculpatory value may be retained
30 for up to three (3) years if requested by any involved party.

31
32 (b) Extended Retention Requirements – Footage shall be retained for at least
33 three (3) years if it:

- 34 1) Captures any use of force by an officer;
- 35 2) Records events leading up to an arrest for a felony-level offense; or
- 36 3) Documents an incident about which a complaint has been filed.

37
38 (c) Retention Requests – The following individuals may request an extended
39 retention period:

- 40 1) The law enforcement officer involved in the recording;
- 41 2) Any person appearing in the footage who reasonably asserts its value;
- 42 3) Superior officers, if they reasonably assert the footage's evidentiary value;
- 43 or
- 44 4) Any subject of the video footage, including their legal guardian or next of
- 45 kin if deceased.

1 (d) Privacy and Access Restrictions – Video footage may not be accessed by
2 superior officers for review unless there is an allegation of misconduct. Footage
3 shall not be used for commercial or non-law enforcement purposes and may not
4 be subject to automated analysis or analytics.
5

6 **SEC. 5. Exemptions to Public Inspection.** – The following types of video footage are
7 exempt from public inspection under this Act:

- 8 (a) Footage not subject to a minimum three (3) year retention period;
9 (b) Footage retained solely due to a complaint, where the complainant requests
10 privacy;
11 (c) Footage retained at the request of a law enforcement officer, superior officer,
12 or for police training purposes, if not intended for public disclosure.
13

14 **SEC. 6. Penalties for Violations.** – (a) Non-compliance Penalties – Officers who fail
15 to comply with body camera requirements or interfere with CCTV systems face
16 imprisonment of two (2) to four (4) years and immediate discharge from service. Re-
17 employment in any law enforcement agency is permanently prohibited. (b) Rebuttable
18 Presumptions – Failure to record or tampering with footage may create a presumption
19 favoring criminal defendants or civil plaintiffs in cases of alleged police misconduct,
20 unless proven otherwise due to exigent circumstances.
21

22 **SEC. 7. Disciplinary Measures.** – (a) Officers who intentionally interfere with the
23 operation of CCTV systems or fail to activate body cameras as required may face
24 administrative actions, including suspension or termination.
25

26 **SEC. 8. Separability Clause.** – If any provision is declared unconstitutional, the
27 remaining sections shall remain effective.
28

29 **SEC. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
30 publication in the Official Gazette or two newspapers of general circulation.

Approved,