

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2244



Introduced by **HON. BRIAN RAYMUND S. YAMSUAN**

AN ACT
MODERNIZING THE CRIME INVESTIGATION TECHNIQUES OF LAW
ENFORCEMENT AGENCIES AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This proposed measure aims to improve the access of our law enforcement agents to modern crime investigation techniques for the better administration of justice.

Advancements in forensic science and investigative practices have significantly transformed the conduct of criminal investigations. There was a time when our law enforcement relied heavily on paraffin testing to investigate persons suspected of discharging a firearm. This has since been declared by the Supreme Court as inconclusive and unreliable.¹ The continued use of obsolete techniques undermines the credibility of criminal investigations and erodes public trust.

The science of criminal investigations should also change to keep up with the rapid pace of modern life, and heavy reliance on computers and technology for a wide array of transactions. Keeping up with strategies is significant in the maintenance of peace order in our society and administration of justice.

This proposed measure is both timely and forward looking. It builds on the momentum of recent advancements in forensic science in the Philippines, including the launch of the National Forensics Institute (NFI) at the University of the Philippines Manila. Envisioned as the country's premier center for forensic education, research, and services, the NFI seeks to improve the conduct of science-based criminal investigations.² Notably,

¹ People v. Teehankee, Jr., G.R. Nos. 111206-08, October 6, 1995; People v. Mumar, G.R. No. 123155, June 8, 2000; People v. Cajumocan, G.R. No. 155023, May 28, 2004.

²<https://up.edu.ph/on-117th-anniv-up-reaffirms-commitment-to-advance-rights-justice-with-national->

the University of the Philippines Manila will offer a new Master of Science in Forensic Medicine program, in partnership with the Monash University in Australia.³ These developments underscore the need for our legal framework to keep pace and reinforce these advances toward a modern system of criminal investigation.

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



BRIAN RAYMUND S. YAMSUAN
Representative
2nd District of Parañaque

forensics-institute-launch/.

³<https://up.edu.ph/on-117th-anniv-up-reaffirms-commitment-to-advance-rights-justice-with-national-forensics-institute-launch/>; <https://www.philstar.com/headlines/2024/10/25/2395236/new-forensic-science-programs-coming-philippines>.

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

SECTION 1. Short Title. – This Act shall be known as the “*Crime Investigation Modernization Act.*”

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to actively promote, induce, and accelerate a sound and modern procedure in crime investigation.

SECTION 3. Principles and Standards in Crime Investigation. – All law enforcement agencies shall be guided by the following principles and standards in conducting their investigations:

- (1) The Constitutional rights of all persons shall be respected at all times. Toward this end, obsolete and unreliable crime investigation methods, such as paraffin testing, shall be phased out;
- (2) One of the most important aspects of securing the crime scene is to preserve the scene with minimal contamination and disturbance of physical evidence. The initial response to an incident shall be expeditious and methodical. Upon arrival, the officer shall assess the scene and treat the incident as a crime scene;

- (a) The initial responding officers shall ensure that medical attention is provided with minimal contamination of the scene;
 - (b) The initial responding officers at the scene shall provide a detailed crime scene briefing to the investigators in charge of the scene;
 - (c) Controlling, identifying, and removing persons at the crime scene and limiting the number of persons who enter the crime scene and the movement of such persons is an important function of the initial responding officers in protecting the crime scene;
 - (d) The investigators in charge shall identify specific responsibilities, share preliminary information, and develop investigative plans in accordance with departmental policy, local, and national laws;
 - (e) The investigators in charge shall ensure documentation of the scene using photos, videos, sketches, measurements and notes, among others;
 - (f) The investigators must prioritize the collection of evidence to prevent loss, destruction, or contamination; and
 - (g) The investigators in charge shall direct another walk-through at the conclusion of the scene investigation and ensure that the scene investigation is complete;
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- (3) The safety and physical well-being of officers and other individuals, in and around the crime scene, are the initial responding officers' priority;
 - (4) Defining and controlling the boundaries provide a means for protecting and securing the crime scene;
 - (5) All activities conducted and observations made at the crime scene must be documented as soon as possible after the event to preserve information;
 - (6) Contamination control and prevention of cross-contamination at single or multiple scenes is essential to maintain the safety of personnel and the integrity of evidence;
 - (7) Evidence at a crime scene that is in the process of documentation, collection, preservation, or packaging should be handled with attention to scene integrity and protection from contamination or deleterious change. During the processing of the scene, and following documentation, evidence should be appropriately packaged, labeled, and maintained in a secure, temporary manner until final packaging and submission to a secured evidence storage facility or the crime laboratory;
 - (8) Law enforcement personnel and other responders shall participate in or initiate a crime scene debriefing to ensure the crime scene investigation is complete and to verify post-scene responsibilities; and
 - (9) Reports and other documentation pertaining to the crime scene investigation shall be compiled into a case file by the investigators in charge of the crime

scene. This file shall be a record of the actions taken and evidence collected at the scene. This documentation shall allow for independent review of the work conducted.

SECTION 4. Creation of the Crime Investigation Modernization Committee (CIMC).

– The Crime Investigation Modernization Committee (CIMC) is hereby established and shall be composed of the following:

- (1) Secretary of the Department of Interior and Local Government as Chairperson;
- (2) Chief of the Philippine National Police;
- (3) Director of the National Bureau of Investigation; and
- (4) Two (2) experts in forensic science to be appointed by the President.

SECTION 5. Duties of the CIMC. – The CIMC shall have the following duties and responsibilities:

- (1) Conduct a study on the modern methods of criminal investigation and their applicability to the Philippines;
- (2) Create a manual for law enforcement officers according to the standards enumerated under Section 3 of this Act. This Manual shall serve as the basic requirement in all subsequent criminal investigations. It shall be the responsibility of the CIMC to train the members of all law enforcement agencies according to the procedures outlined by the manual;
- (3) Engage in dialogues with foreign police agencies on possible sharing and transfer of technology in forensic investigation;
- (4) Within three (3) years after the creation of CIMC, it shall submit a report to Congress on the costs and ways of implementing a comprehensive program on modernization of crime investigation;
- (5) Complete a study on the feasibility of creating a course on Forensic Science in State Universities and Colleges to be submitted to Congress within two (2) years after the creation of CIMC; and
- (6) Send scholars abroad for training in forensic science and related fields. Any person who shall be granted educational scholarship or training shall be required to render government service for at least three (3) years after completion of their study or training subject to existing laws.

SECTION 6. Separability Clause. – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SECTION 7. *Repealing Clause.* – All other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in one (1) newspaper of general circulation.

Approved,