

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **6530**



**Introduced by Representative JB BERNOS
and Representative CHING BERNOS**

**AN ACT MANDATING THE USE OF ON-BODY CAMERAS BY LAW
ENFORCEMENT OFFICERS DURING ANY ANTI-ILLEGAL DRUG AND OTHER
LAW ENFORCEMENT OPERATIONS, AND PROVIDING FUNDS THEREFOR**

EXPLANATORY NOTE

The fight against illegal drugs and criminality in the Philippines has long been accompanied by concerns regarding transparency, accountability, and the protection of human rights. In recent years, numerous reports of alleged abuses during law enforcement operations, including illegal searches, unlawful arrests, and extrajudicial killings, have eroded public confidence in institutions tasked with upholding peace and order. These incidents underscore the need to adopt modern mechanisms that ensure operational integrity while protecting both citizens and law enforcement officers.

Recognizing this, the Supreme Court and the Department of the Interior and Local Government (DILG) have already issued national directives requiring the use of body-worn cameras (body cams) in the execution of search and arrest warrants. Notably, the Supreme Court's A.M. No. 21-06-08-SC (Rules on the Use of Body-Worn Cameras in the Execution of Warrants), issued in 2021, institutionalized their use to ensure transparency and accountability in law enforcement operations. The DILG and the Philippine National Police (PNP) also implemented corresponding operational guidelines, providing initial funding for the acquisition of body cameras and training officers in their use. However, despite these positive steps, the implementation remains limited and inconsistent, as the directives are administrative in nature and lack the full force of law and sufficient budgetary support for nationwide deployment.

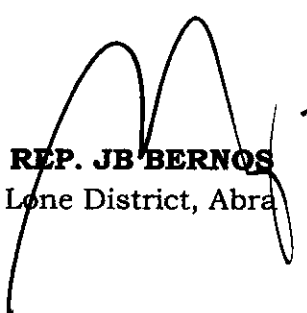
This bill seeks to institutionalize and standardize the use of on-body cameras (body cams) in all anti-illegal drug and other law enforcement operations, ensuring that every action is properly documented and verifiable. The measure establishes clear protocols for the use, storage, and disclosure of recordings, while

also providing strong safeguards to protect the privacy rights of individuals in compliance with the 1987 Constitution and the Data Privacy Act of 2012 (R.A. No. 10173).

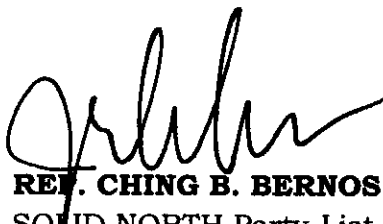
By mandating the continuous recording of operations, this proposed law aims to a) deter misconduct and abuse of authority by ensuring that all interactions are visibly recorded; b) protect law enforcement officers from false accusations of wrongdoing; c) facilitate the fair and speedy resolution of investigations and prosecutions by providing reliable, unaltered evidence; and d) foster public trust by promoting transparency and accountability within law enforcement institutions.

The bill likewise allocates funds for the procurement, maintenance, and data storage of on-body cameras, as well as for the training of law enforcement officers in their proper handling and usage. It also outlines penalties for noncompliance, tampering, or misuse of recordings. In essence, the "Body Cam Act" represents a crucial step toward strengthening the rule of law, protecting human rights, and modernizing the country's approach to policing. It affirms that justice and accountability can, and must, coexist with effective law enforcement.

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



REP. JB BERNOS
Lone District, Abra



REP. CHING B. BERNOS
SOLID NORTH Party-List

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

SECTION 1. Short Title. – This Act shall be known as the “Body Cam Act.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to maintain peace and order, protect life, liberty and property and promote the general welfare. Towards this end, the State shall continuously develop mechanisms to help improve law enforcement transparency and accountability through:

- (a) Proper documentation of interactions between law enforcement officers and the public, especially during anti-illegal drug and criminality operations;
- (b) Utilization of modern technology as a tool to deter incidents of abuse or misconduct by law enforcement officers during legitimate police operations, as well as safeguard these officer's rights against false accusations;
- (c) Formulation of means to reduce the cost and impact of crime in the community; and
- (d) Improvement in community relations between police enforcement officers and the public by maintaining policies that balance the rights of the public for privacy and the promotion of accountability during anti-illegal drug and criminality operations.

SEC. 3. Definition of Terms. – For the purpose of this Act, the following terms are defined:

- (a) On-Body Camera - refers to the use of a wearable audio, video or photographic recording system utilized by law enforcement officers to record

their interactions with the public or gather video evidence at crime scenes. Some feature live streaming capabilities while others are based on local storage;

- (b) Images - refer to recorded images in the On-Body Camera;
- (c) Law Enforcement Officers - refer to elements of the Philippine National Police (PNP), and members of the Drug Enforcement Unit of the Philippine Drug Enforcement Agency (PDEA), and other law enforcement officers involved in anti-illegal drug and criminality operations; and
- (d) Anti-illegal Drug and Criminality Operation - refers to any law enforcement or police operation involving the conduct of searches, service of warrants, arrest or apprehension of persons for violation of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" as amended, or any other law related to illegal drug activities, as well as of laws involving other crimes as defined by special laws and the revised penal code, or under any related anti-drug or criminality program or campaign of the PNP.

SEC. 4. Use of On-Body Camera in Police Operations. – Members of the PNP, PDEA, and other law enforcement officers involved in anti-illegal drug and criminality operations are hereby mandated to use on-body cameras during police operations and as such, shall establish protocols and stringent standards for the responsible and effective use of this overt camera. The camera must be turned on and left running until the operations shall have been completed.

SEC. 5. Minimum Standards. – The on-body camera system must be capable of setting on playback a full account of the operation that was concluded. It must likewise be ensured that the cameras are of high-quality resolution capable of delineating the activity and physical features of individuals and areas within the premises being recorded.

The requirement for the technology that will become the storage for the recorded data must consider optimum measures to retain its integrity, preventing tampering, deleting or copying as well as prohibiting its unauthorized use. Other standard specifications of the camera shall be provided in the Implementing Rules and Regulations (IRR) of this Act.

SEC. 6. On-Body Camera Recordings. – In all anti-illegal drug and criminality operations of law enforcement officers, on-body cameras shall record in full all the activities incidental to the conduct of the operation. There shall be continuous recording of the events throughout these encounters to ensure that officers involved cannot manipulate what is to be recorded. Neither shall the consent of any person recorded be necessary for the continuous recording of the on-body camera.

The content of the recordings become property of the State. It is vital that these recordings are tamper-proof and access thereof shall contain immutable audits. They shall not be accessed or downloaded without obtaining prior authority from the courts.

SEC. 7. Privacy Rights. – The use of the on-body camera shall be made in a manner consistent with the Constitution, Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012", and other related laws. The on-body camera shall not be used surreptitiously in order to obtain data or information that is unrelated to the purpose of the operation. Any recording of person(s) inside a restroom, toilet, shower, bathroom, bedroom, changing room and other similar areas shall not be allowed to be used as evidence in any court of law except when the suspect or the person under investigation has concealed himself and/or the contraband in the places mentioned, or that the crime was committed therein.

As part of an information campaign, the public shall be informed of the general procedure and guidelines in the conduct of the police or other law enforcement agencies operating with the on-body camera in at least two (2) newspapers of general circulation. It shall likewise be posted in the website of the PNP and the PDEA and printed copies thereof shall be displayed in every police precinct to constitute due notice of the presence of the on-body camera during these police operations.

SEC. 8. Procedure for Access and Disclosure of Recordings. – Only persons authorized by the court, upon application, shall have access to images and recordings from law enforcement or police on-body cameras. Viewing of the images and recordings shall take place in a restricted area or in private conditions. All access granted under the circumstances must be documented and for a limited or prescribed time only. The courts shall in its discretion grant the use, viewing, copying or disclosure of images and recordings performed in accordance with this Act under the following circumstances:

- (a) Upon request by law enforcement officers in connection with and limited to an investigation for the prosecution of an offense punishable by law, which is the subject of the operation or incidental to the occurrence of the operation;
- (b) By a person whose image has been captured indubitably revealing information of a highly sensitive and personal nature;
- (c) Where a disclosure of the recording is necessary to advance a compelling interest of the public;
- (d) By any interested person in connection with a pending criminal or civil proceeding to prevent a serious threat to the fair administration of justice; and
- (e) To determine whether an administrative or criminal offense has been committed by a law enforcement officer during the course of an anti-illegal drug and criminality operation, and to ascertain his identity and the manner by which the offense was committed.

Law Enforcement Officers are prohibited to release images or recordings from the on-body camera to the media or to upload the same onto public and social media internet websites. The courts shall give its order allowing or denying the use,

copying or disclosure of images and recordings within twenty four (24) hours after submission of the request, as herein specified. The public shall be informed of the procedure for the access to the images and recording of the operation in a manner consistent with the policy of this Act.

SEC. 9. Retention, Storage and Preservation. – Unless otherwise reserved for a specific purpose to review the events of a crime, or where the recording shall be used as evidence in an administrative, civil, or criminal proceeding, or where there is a formal or informal complaint against any law enforcement or police officer involved in the operation, or where the operation has led to the arrest or detention of person(s), or that the information in the recording needs to be studied further for any number of reasons, data of recordings shall not be kept for more than thirty (30) days and shall be deleted beyond said period.

The administration for the proper data storage, the chain of custody for the camera and its recording, and the guidelines for the release of the recording with prior leave of the court, shall be provided for in detail in the IRR which must be consistent with the policy established herein.

SEC. 10. Officers' Training. – There shall be appropriate training for the law enforcement officers in the use and handling of the on-body camera. It is important that their knowledge shall include both the technical familiarity on usage of the camera and the implication on the Constitutional provisions, the Data Privacy Act of 2012, and other relevant laws on the protection of privacy.

SEC. 11. Periodic Review. – A bi-annual review of the use of the on-body camera and the utilization of its recording shall be required to ensure that the policies established under this Act are effectively implemented. A copy of the report on the findings made from the review conducted shall be submitted to Congress within thirty (30) days upon its conclusion.

SEC. 12. Prohibited Acts. – It shall be unlawful for any of the identified persons to perform the following acts:

- (a) Any law enforcement officer who shall participate in the anti- illegal drug and criminality operation but fails to wear, record or otherwise interfere with the on-body camera recording shall suffer the penalty of suspension from service for a period of six (6) months without pay; Provided, That if said anti-illegal drug and criminality operation results in the injury or death of a drug personality or any other person who is not a law enforcement officer, the law enforcement officer shall suffer the penalty of permanent removal from service; Provided, Further, That the presumption of irregularity and misconduct in the course of the performance of his duty may be rebutted only by evidence of another recording attesting to the regularity in the conduct of the operations exculpating said officer or by proof that circumstances has made it impossible for him to comply with the provisions of this Act;

- (b) Where a law enforcement officer involved in the operation has abused his authority and committed a crime, regardless whether the incident has been captured in the on-body camera recording, he shall be prosecuted under the law for the crime which he has committed and the penalty to be applied shall be the maximum period; and
- (c) Any use of the recording that are not in accordance with the objective of this Act shall be punishable with an imprisonment of not less than six (6) months but not exceeding six (6) years, or a fine not less than One Hundred Thousand Pesos (₱100,000.00) but not more than One Million Pesos (₱1,000,000.00) or both such fine and imprisonment at the discretion of the court.

SEC. 13. Appropriations. – The amount necessary to carry out the provisions of this Act shall be included in the budget of the Department of Interior and Local Government in the General Appropriations Act in the year immediately following its enactment.

SEC. 14. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the Director-General of PDEA and PNP, in coordination with DILG, DICT, DOJ, and NPC, shall promulgate the necessary rules and regulations for the implementation of this Act, including the determination of the number of PNP and PDEA personnel who shall be prioritized in the initial phase of implementation of this Act.

SEC. 15. Separability Clause. – If any portions or provisions of this Act are declared unconstitutional or invalid, the remaining portions or provisions not otherwise affected shall remain valid and subsisting.

SEC. 16. Repealing Clause. – All laws, presidential decrees, executive orders, memoranda, circulars, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 17. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,