

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

TWENTIETH CONGRESS
1st Regular Session

House Bill No. 8672



Introduced by Representatives JEFFREY SORIANO and JOCELYN P. TULFO

EXPLANATORY NOTE

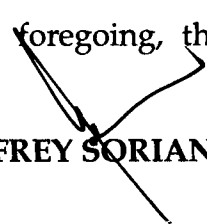
This bill seeks to mandate the use of body-worn cameras by law enforcement officers during the conduct of official operations in order to promote transparency, accountability, and professionalism in law enforcement.

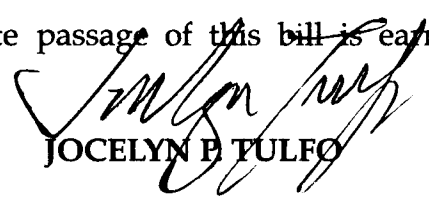
In recent years, concerns have been raised regarding allegations of abuse, misconduct, and lack of accountability in certain law enforcement operations. At the same time, law enforcement officers themselves remain vulnerable to false accusations and unfounded complaints. The absence of reliable and objective documentation of police-public interactions often results in conflicting narratives that undermine trust in institutions and weaken the administration of justice.

To address these concerns, this measure institutionalizes the use of body-worn cameras (BWCs) and alternative recording devices (ARDs) as standard equipment in law enforcement operations. These devices will serve as impartial tools to accurately document interactions, ensuring that both the rights of civilians and the integrity of law enforcement officers are protected.

The bill sets clear guidelines on when body-worn cameras must be activated and deactivated, ensuring full documentation of law enforcement operations such as arrests, searches, and emergency responses. The measure also provides safeguards to protect privacy, prohibiting recording in sensitive situations and ensuring compliance with data privacy laws, including the use of redaction when necessary. To ensure accountability, it imposes penalties for non-compliance, unauthorized access, tampering, and misuse of recordings, while instituting proper protocols for the submission, storage, and retention of all recorded data.

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


HON. JEFFREY SORIANO


JOCELYN P. TULFO

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AN ACT
MANDATING LAW ENFORCEMENT OFFICERS TO USE A BODY-WORN
CAMERA DURING LAW ENFORCEMENT OPERATIONS, PROVIDING
PENALTIES FOR VIOLATIONS, AND APPROPRIATING FUNDS THEREFOR

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 “*Law Enforcement Body-worn Camera Act.*”

SEC 2. *Declaration of Policy.* — It is the declared duty 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 during law enforcement operations;
- b. Utilization of modern technology as a tool to deter incidents of abuse or misconduct by law enforcement officers during legitimate law enforcement operations, as well as safeguard these law enforcement officers’ 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 law enforcement officers and the public by maintaining policies that balance the rights of the public for privacy and the promotion of accountability during law enforcement operations.

SEC 3. *Definition of Terms.* — As used in this Act:

- a. Alternative Recording Device (ARD) refers to an electronic camera system which is not a body-worn camera, that is capable of creating, generating, sending, receiving, storing, displaying, and processing audio-visual recordings, and may be worn during law enforcement activities. To be used as a functional equivalent of body-worn camera as defined herein, it shall comply with the minimum requirements set forth by the law enforcement agencies in accordance with this Act: *Provided*, That the alternative recording device shall be capable of capturing with reasonable clarity the events that transpire during the law enforcement operation;
- b. Body-worn Camera (BWC) refers to an electronic camera system designated to law enforcement units for creating, generating, sending, receiving, storing, displaying, and processing audio-visual recordings that shall be worn during law enforcement operation;
- c. Data Custodian refers to a designated officer who has the responsibility of storing and safekeeping data recorded from body-worn cameras and other alternative recording device;
- d. Law Enforcement Agency refers to the Philippine National Police, the National Bureau of Investigation, and the Philippine Drug Enforcement Agency;
- e. Law Enforcement Officer means any person authorized by law to conduct law enforcement, special police operations, including but not limited to preventing, investigating apprehending, or detaining individuals suspected or convicted of offenses punishable under Philippine laws, and other similar police, and law enforcement operations;
- f. Law Enforcement Operation refers to any legitimate operations to enforce laws, statues, executive orders, and ordinances including but not limited to the service of warrant of arrest, hot pursuit operations, enforcement of visitorial powers, anti-illegal drug operations, anti-cybercrime operations, anti-human trafficking operations, checkpoint operations; and
- g. Recording refers to digital material generated as a result of using body-worn cameras or alternative recording devices, which contains images and audio-video footages. It shall include the copies of the material created by way of copying to portable media storage and other data repositories.

SEC 4. *Mandatory Use of Body-worn Camera.* — Law enforcement officers are hereby mandated to wear and activate body-worn cameras to capture and record the conduct of law enforcement operations: *Provided*, That in case of unavailability of body-worn cameras, the law enforcement officers shall use alternative recording devices subject to the requirements under this Act.

SEC 5. *Minimum Standards for Body-worn Camera.* — Body-worn camera shall meet the following minimum standard requirements:

- a. Video resolution : 720p
- b. Frame rate : 30 frames per second
- c. Audio : Built-in
- d. Date and Time stamping : Built-in
- e. GPS : Built-in
- f. Battery life : eight (8) hours continuous
- g. Storage : capable of storing eight (8) hours continuous audio video footage
- h. Low-light recording : with a night mode built in, a low lux rating, and/or and infrared (IR) illuminator

SEC 6. *Guidelines for the Use of Body-worn Camera.* — Law enforcement officers mandated to wear body-worn camera under this Act shall ensure that:

- a. Both video and audio recording functions of the BWCs/ARDs shall be activated and shall commence recording:
 - i. For Warrant of Arrest and Search Warrant Execution, when officers approach the target location or upon receiving instructions to proceed with the operation;
 - ii. For Warrantless Arrest or Search, at the time when officers have reasonable suspicion or probable cause to conduct such actions;
 - iii. For Entrapment, Buy-Bust Operations, and other planned law enforcement operations, immediately upon arriving at the place of operations;
 - iv. For Hot Pursuit Operations, as soon as officers are engaged in pursuit of suspects or vehicles involved in criminal activities, ensuring that recording captures the entire pursuit; and
 - v. For Response to Calls or Services, upon dispatch of a law enforcement officer in response to a call or service request.
- b. The Recording shall only be terminated:
 - i. For Warrant of Arrest and Search Warrant Execution, when the law enforcement officers have completed the execution of the warrant, left the premises or area specified in the warrant, and endorsement of custody of the person arrested and the items seized to the authorized unit or agency;
 - ii. For Warrantless Arrest or Search, upon conclusion of the warrantless arrest or search, including the transportation of suspects or evidence for custody to the authorized unit or agency;
 - iii. For Entrapment Operation, Buy-Bust Operation, and other planned law enforcement operations, upon the conclusion of the buy-bust operation, encompassing the arrest of suspects, seizure of contraband, departure of law enforcement officers from the operation location, and the taking of the arrested persons and seized items for custody to the appropriate unit or agency;

- iv. For Hot Pursuit Operations, upon the conclusion of pursuit, either upon the apprehension and taking for custody of suspects or upon officers discontinuing the pursuit and the return of law enforcement officers to their respective units; and
 - v. For Response to Calls or Services: Recording shall persist until the officers have resolved the situation or incident at the scene and have left the premises, ensuring comprehensive documentation of the response.
- c. Body-worn cameras shall be worn in a location and manner that maximizes the camera's ability to capture a video footage of the law enforcement officer's activities during the conduct of law enforcement operation; and
 - d. Body-worn camera shall record in full all the activities incidental to the conduct of the operation.

SEC. 7. *Prohibition on the Use of Body-worn Cameras.* — The use of body camera shall not be allowed in the following instances:

- a. It shall not be used to gather intelligence information based on protected speeches, associations, or religion, or to record activity that is unrelated to a response to a call or service or a law enforcement or investigative encounter between a law enforcement officer and the member of the public;
- b. In locations where individuals have a reasonable expectation of privacy, unless the recording is being made pursuant to a valid arrest or search warrant of the individuals or location, or pursuant to a valid warrantless arrest and search in accordance with established rules;
- c. During privileged communications between the subject of recordings and other individuals, such as attorneys, members of the clergy, peer support counselors, and medical professionals;
- d. The recording would pose a serious threat to national security; and
- e. To obtain data or information surreptitiously that is unrelated to the purpose of the law enforcement operation being conducted.

SEC 8. *Submission of Recording.* — Any law enforcement officer tasked to wear and activate BWCs or ARDs shall submit to the data custodian of their law enforcement agency the recordings of their BWs or ARDs used in the law enforcement operation within forty-eight (48) hours from the termination of such law enforcement operation. Failure to submit the recordings within the period of time specified herein may subject the concerned law enforcement officer to administrative penalty.

SEC 9. *Custody and Period of Retention of the Recordings.* — All recordings from the body-worn camera or alternative recording devices used during the operation shall be stored in an external media storage device and shall be under the custody of

the law enforcement agency that employs the officer whose camera captured the footage, or an authorized agent thereof, for thirty (30) days after the date it was endorsed to the data custodian of such law enforcement agency. In case there is an order from a judicial, administrative, or quasi-judicial body requesting for a copy of the footage, said footage shall be retained by the data custodian and will be permanently deleted only after the termination of the case.

SEC 10. *Use of Redaction Technology.* — Whenever doing so is necessary to protect an individual's personal data, the identity of a confidential source or crime victim, or the life or physical safety of any person appearing in video footage, redaction technology may be used to obscure the face and other personally identifying characteristics of that person, including the tone of the person's voice: *Provided,* That the redaction does not interfere with a viewer's ability to fully, completely, and accurately comprehend the events captured on the video footage: *Provided, further,* That when redaction is performed on video footage pursuant to this Section, an unedited, original version of the video footage shall be retained by the law enforcement agency: *Provided, finally,* That no other editing or alteration of video footage, including a reduction of the video footage's resolution, shall be permitted under this Act.

SEC. 11. *Access and Disclosure of Recordings.* — Subject to the provisions of Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012", only persons duly authorized by the head of the concerned law enforcement agency may be allowed to access recordings under their custody. The head of law enforcement agency may, in its discretion, grant the use, viewing, copying, or disclosure of recording to upon request of the following individuals:

- a. Law enforcement officers, in connection with the subject of the operation or incidental to the occurrence of their operation;
- b. Any person who is a subject of the recording or his or her counsel: *Provided,* That in case of a minor, his or her parent, guardian or counsel may be authorized;
- c. The spouse, next of kin, or legally authorized designee of a deceased subject of the recording, or his or her counsel;
- d. Any parties in interest in connection with a pending criminal or civil proceeding to prevent a serious threat to the fair administration of justice; and
- e. Any person duly authorized to determine administrative or criminal violation of a law enforcement officer during the course of law enforcement operation.

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

- a. *Failure to Observe the Requirements for Body-Worn Cameras.* — Any law enforcement officer who fails to adhere with the requirements on the

mandatory use of body-worn cameras, or as prescribed in Sections 4, 6, 7, 8, and 9 of this Act shall be subject to the following penalties:

1. first offense - punishable by suspension of one (1) month and one (1) day to six (6) months;
 2. second offense - punishable by suspension of six (6) months and one (1) day to one (1) year plus demotion to the next lower position: *Provided, That in case there is no such next lower position available, he or she shall suffer diminution in salary corresponding to the next lower salary grade; and*
 3. third offense - dismissal from the service;
- b. *Accessing Recording Due to Negligence.* - Any person who, due to negligence, provides access to recordings without being authorized under this Act or any existing law shall be penalized by imprisonment ranging from one (1) year to three (3) years and a fine of not less than Five Hundred Thousand Pesos (Php500,000.00) but not more than Two Million Pesos (Php2,000,000.00);
- c. *Spoliation of recording.* - Any person who will tamper with, alter, conceal, manipulate, falsify, or destroy a recording with the intent to interfere with an investigation shall be penalized by imprisonment ranging from six (6) months to two (2) years and a fine of not less than One Hundred Thousand Pesos (Php100,000.00) but not more than Five Hundred Thousand Pesos (Php500,000.00); and
- d. *Unauthorized Use of Recordings* - 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 (Php 100,000.00) but not more than One Million Pesos (Php 1,000,000.00) or both such fine and imprisonment at the discretion of the court.

SEC. 13. *Appropriations.* - The initial amount necessary for the implementation of this Act shall be charged against the current fiscal year's appropriations of the law enforcement agency involved. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 14. *Implementing Rules and Regulations (IRR).* - The Department of the Interior and Local Government and the Department of Justice, in consultation with the PNP, NBI, PDEA, and other concerned government agency, shall within sixty (60) days from the effectivity of this Act, promulgate the rules and regulations to effectively implement the provisions of this Act.

SEC 15. *Separability Clause.* - If any part or provision of the Act shall be held unconstitutional or invalid, other Provisions hereof which are not affected hereby shall continue to be in full force and effect.

SEC 16. *Repealing Clause.* — All laws, decrees, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC 17. *Effectivity.* — This shall take effect after fifteen (15) days from its publication in two (2) national newspapers of general circulation.

Approved,