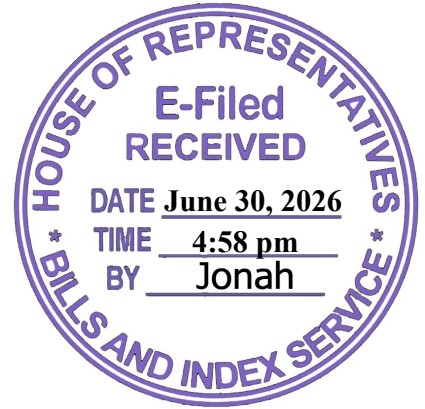


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9992



Introduced by Representative Jan “Atty. JP” D. Padiernos

EXPLANATORY NOTE

The 1987 Philippine Constitution explicitly guarantees that in all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved (Article III, Section 14(2)). This constitutional shield protects individuals from the power of the State until guilt is proven beyond a reasonable doubt in court.

Yet, law enforcement agencies routinely parade unarraigned suspects before media cameras in handcuffs and detention vests. This practice inflicts irreversible public humiliation, damages reputations, and creates a trial by publicity that prejudices the administration of justice. Even if a suspect is later cleared or acquitted, the public vindication rarely undoes the initial televised damage.

While reporting on crime is necessary, it must not turn unconvicted citizens into a public spectacle. This Act explicitly prohibits law enforcement from showcasing arrested suspects to the media and public. This measure protects the constitutional rights and human dignity of individuals under custody by imposing strict criminal, civil, and administrative penalties for violations.

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

Rep. Jan “Atty. JP” D. Padiernos
GP (GALING SA PUSO) Partylist

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TWENTIETH CONGRESS
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House Bill No. **9992**

Introduced by Representative Jan “Atty. JP” D. Padiernos

AN ACT PROHIBITING THE PUBLIC PARADING AND PRESENTATION OF UNCONVICTED ARRESTED SUSPECTS TO THE MEDIA, PRESERVING THE CONSTITUTIONAL PRESUMPTION OF INNOCENCE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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 "*Suspect Media Protection Act.*"

SECTION 2. Declaration of Policy. – It is the declared policy of the State to value the dignity of every human person and guarantee full respect for human rights. Concomitantly, the State upholds the constitutional right of every accused to be presumed innocent until proven guilty. Toward this end, the State shall prohibit any police or law enforcement practices that subject unconvicted, arrested persons to public degradation, premature public judgment, and trial by publicity through orchestrated media presentations.

SECTION 3. Definition of Terms. – As used in this Act:

- a. "Arrested Suspect" refers to any person taken into custody by law enforcement officers via a warrant of arrest, or through a valid warrantless arrest under Rule 113, Section 5 of the Revised Rules of Criminal Procedure, who has not yet been formally arraigned before a competent court.
- b. "Law Enforcement Officer" refers to any member of the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Philippine Drug Enforcement Agency (PDEA), the Bureau of Customs (BOC), the Bureau of Immigration (BI), and all other government agencies tasked with law enforcement, investigative, and arrest capabilities.
- c. "Media Presentation or Parading" refers to the act of showcasing, presenting, staging, or positioning an arrested suspect to be photographed, filmed, videotaped, or interviewed by journalists, media networks, or the general public, including the broadcasting of such images on official social media channels.

SECTION 4. Prohibited Acts. – It shall be unlawful for any law enforcement officer, public official, or employee to:

1. Present, parade, or stage an arrested suspect before television, print, radio, or digital media cameras during press conferences, briefings, or organized media events;
2. Compel, induce, or allow an arrested suspect to wear clothing, vests, or markings that explicitly label them as a "criminal," "suspect," or "detainee" in plain view of public media prior to arraignment;
3. Publish, upload, or broadcast the mugshots, full names, or videos of an unarraigned suspect on official law enforcement social media pages or websites, unless such publication is strictly necessary for public safety or to facilitate the capture of a fugitive from justice; and
4. Allow members of the media to conduct live or recorded interviews with an arrested suspect while under custody, unless the suspect, with the active assistance and written consent of independent counsel of their own choice, explicitly requests such an interview.

SECTION 5. Permissible Disclosures. – Nothing in this Act shall be construed as restricting the right of the public to legitimate information regarding crime and public safety. Law enforcement agencies may issue factual written press releases or conduct verbal briefings containing:

1. The legal name, age, and hometown of the arrested individual;
2. The specific legal charges filed or to be filed against the individual;
3. A factual narrative of the circumstances surrounding the arrest; and
4. An inventory of items or contraband seized, provided that such items are photographed and presented independently, without positioning the suspect alongside the seized items for media documentation.

SECTION 6. Penalties. –

- A. Any law enforcement officer or public official who violates Section 4 of this Act shall, upon conviction, suffer the penalty of *prision correccional* in its minimum period (6 months and 1 day to 2 years) or a fine ranging from One Hundred Thousand Pesos (PHP 100,000.00) to Three Hundred Thousand Pesos (PHP 300,000.00), or both, at the discretion of the court.
- B. Independent of any criminal action, a violation of this Act shall constitute Grave Misconduct and shall be a ground for immediate suspension or dismissal from the government service, including the forfeiture of retirement benefits.
- C. The law enforcement officer or agency responsible for the unlawful presentation shall be liable for civil damages to the aggrieved party for injuries to reputation, mental anguish, and degradation of dignity under the framework of the Civil Code of the Philippines.

SECTION 7. Implementing Rules and Regulations (IRR). – Within sixty (60) days from the effectivity of this Act, the Department of the Interior and Local Government (DILG), in coordination with the Department of Justice (DOJ), the National Police Commission (NAPOLCOM), and representatives from human rights civil society organizations, shall promulgate the necessary rules and regulations for its effective implementation.

SECTION 8. Separability Clause. – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SECTION 9. Repealing Clause. – All laws, executive orders, rules, regulations, or circulars inconsistent with the provisions of this Act, including specific internal manuals or operational guidelines of law enforcement agencies, are hereby repealed, amended, or modified accordingly.

SECTION 10. 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,