



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
2nd Regular Session

HOUSE BILL NO. 10321



Introduced by **REPRESENTATIVE JENNIFER A. LAGBAS**

EXPLANATORY NOTE

The PNP purchased 2,696 body-worn cameras for ₱289 million in 2018, but actual field implementation only began around 2021, a three-year gap, and use since then has been governed by a patchwork of internal agency issuances rather than a single statute — a gap the National Union of Peoples' Lawyers has publicly asked Congress to close through a unified, rights-based law. The consequences of that gap are documented: in the August 2023 killing of Jemboy Baltazar in Navotas City, five of six convicted officers had turned off their cameras before firing, in violation of existing protocol, while in the case of Ian Alabastro, the absence of enforceable rules requiring recording during arrest, transport, and detention allowed official denial and delayed investigation. The Commission on Human Rights has separately investigated multiple drug-related extrajudicial-killing complaints involving alleged PNP participation.

Article II, Section 5 grounds the State's duty to maintain peace and order and protect life and liberty through more transparent and accountable law enforcement, while Article III, Section 2 on privacy against unreasonable searches, together with the constitutional presumption of innocence, informs the bill's limits on when cameras may record, such as the prohibition on recording privileged communications with counsel, clergy, or medical professionals. There is currently no single enforceable law mandating body-worn camera use nationwide, no clear consequence when officers switch cameras off during controversial encounters, and no uniform rules on data custody, retention, access, or penalties for tampering, all of which undermine both accountability and the evidentiary value of any footage captured.

The bill mandates that PNP, NBI, BJMP, and PDEA officers activate body-worn cameras, or approved alternative recording devices, during defined categories of law enforcement operations, specifying precisely when recording must begin and end for warrant service, warrantless arrests, buy-bust operations, hot pursuits, and calls for service. It bars recording in privacy- or privilege-protected contexts, requires footage to be submitted to a designated data custodian

within 48 hours, and sets a minimum 30-day retention period, extended automatically upon judicial or administrative request. Redaction is allowed only under safeguards that preserve an unedited original, access and disclosure are tied to the Data Privacy Act, and the bill backs these rules with escalating administrative penalties for non-compliance and criminal penalties — including imprisonment and fines up to ₱2,000,000 — for negligent disclosure, spoliation, or unauthorized use of recordings.

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



HON. JENNIFER A. LAGBAS
Representative
First District, Misamis Oriental



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HOUSE BILL NO. 10321

Introduced by **REPRESENTATIVE JENNIFER A. LAGBAS**

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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* — This Act shall be known as “Law Enforcement Body-Worn Camera Act”.

SEC. 2. *Declaration of Policy.* — The State shall maintain peace and order, protect life, liberty, and property, and promote the general welfare. To 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 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 and safeguard these officers against false accusations;

(c) Formulation of means to reduce the cost and impact of crime in the community; and

(d) Improvement in relations between law enforcement officers and the public by balancing the right to 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 is worn during law enforcement activities. An ARD shall be deemed a functional equivalent of a body-worn camera as defined herein when it complies with the minimum requirements set forth by the law enforcement agencies in accordance with this Act: Provided, That the ARD 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 assigned 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 of the law enforcement agency with the responsibility of storing and safekeeping data recorded from BWCs and other ARDs;

(d) Law Enforcement Agency refers to the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Bureau of Jail Management and Penology (BJMP), and the Philippine Drug Enforcement Agency (PDEA);

(e) Law Enforcement Officer means any member of the PNP, NBI, BJMP, and PDEA authorized to conduct law enforcement, special police operations, including the prevention, investigation, apprehension, or detention of individuals suspected or convicted of offenses punishable under Philippine laws, and similar enforcement operations;

(f) Law Enforcement Operation refers to any legitimate operation of a law enforcement agency to enforce laws, statutes, executive orders, and ordinances, including the service of warrants of arrest, hot pursuit operations, enforcement of visitorial powers, anti-illegal drug operations, anti-cybercrime operations, anti-human trafficking operations, and checkpoint operations; and

(g) Recording refers to digital material generated from the use of BWCs or ARDs, containing images and audio-video footages. It shall include material created by copying the original to portable media storage and other data repositories.

SEC. 4. *Mandatory Use of Body-Worn Camera.* — Law enforcement officers shall wear and activate BWCs to record the conduct of law enforcement operations: Provided, That in case of unavailability of BWCs, the law enforcement officers shall use ARDs subject to the requirements under this Act.

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

(a) Video resolution	1080p Full HD or higher
(b) Frame rate	60 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 infrared (Illuminator)

SEC. 6. *Guidelines for the Use of Body-Worn Cameras.* — Law enforcement officers mandated to wear BWCs under this Act shall ensure that:

(a) Both the video and audio recording functions of the BWCs/ARDs are activated and actually recording:

(1) For warrant of arrest and search warrant execution, when officers approach the target location or upon receiving instructions to proceed with the operation;

(2) For warrantless arrest or search, at the time when officers have reasonable suspicion or probable cause to conduct such actions;

(3) For entrapment, buy-bust operations, and other planned law enforcement operations, immediately upon arriving at the place of operations;

(4) For hot pursuit operations, as soon as officers are engaged in pursuit of suspects or vehicles involved in criminal activities, and for the entire pursuit; and

(5) For response to calls or services, upon dispatch of a law enforcement officer in response to a call or service request.

(b) The Recording is only terminated:

(1) When the law enforcement officers have served or executed the arrest or search warrant, left the premises or area specified in the warrant, and upon the endorsement of custody of the person arrested and the items seized to the authorized unit or agency;

(2) Upon conclusion of the warrantless arrest or search, including the transportation of suspects or evidence for custody to the authorized unit or agency;

(3) Upon the conclusion of the entrapment, buy-bust, or other enforcement 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;

(4) Upon the conclusion of the hot pursuit, either upon the apprehension and taking of suspects into custody, or upon officers discontinuing the pursuit and returning to their respective units; and

(5) When responding to calls or services, until the officers have resolved the situation or incident and have left the scene.

(c) BWCs are worn where it can capture a video footage of the law enforcement officer's activities during the law enforcement operations; and

(d) BWCs 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 BWCs shall not be allowed in the following instances:

(a) Gathering intelligence information based on protected speeches, associations, or religion, recording activities unrelated to a call or service response, or a law enforcement or investigative encounter between a law enforcement officer and a member of the public;

(b) Where individuals have a reasonable expectation of privacy, unless the recording is pursuant to a valid arrest or search warrant, or a valid warrantless arrest and search under 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) When the recording would pose a serious threat to national security; and

(e) Surreptitious data or information gathering that is unrelated to the purpose of the 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 BWCs or ARDs used in the law enforcement operation within forty-eight (48) hours from the termination of such 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 BWC or ARDs used during the operation shall be stored in an external media storage device and in a back-up storage based either on local servers or a secured web-based digital media storage platform. The recordings shall be under the custody of the law enforcement agency employing the officer or an authorized agent thereof whose camera captured the footage for thirty (30) days from endorsement to the agency's data custodian.

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 to be permanently deleted only after the termination of the case.

SEC. 10. *Use of Redaction Technology.* — Whenever necessary to protect personal data, the identity of a confidential source or crime victim, or the life or physical safety of any person appearing in a video footage, redaction technology may be used to obscure the person's face and other identifying characteristics, including tone of voice: Provided, That the redaction does not interfere with the full, complete, and accurate comprehension of the events captured on the video

footage: Provided, further, That for video footage redacted 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 resolution, shall be permitted under this Act.

SEC. 11. *Access and Disclosure of Recordings.* — Subject to the provisions of Republic Act No. 10173 or the “Data Privacy Act of 2012”, only persons duly authorized by the head of the concerned law enforcement agency may be allowed to access the recordings under their custody.

The head of the law enforcement agency may, in its discretion, grant the use, viewing, copying, or disclosure of recording 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 party 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 operations.

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 BWCs.** — Any law enforcement officer who fails to adhere with the requirements on the mandatory use of BWCs or as prescribed in Sections 4, 6, 7, 8, and 9 of this Act, shall be subject to the following penalties:

(1) First offense: suspension of one (1) month and one (1) day to six (6) months;

(2) Second offense: 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 with imprisonment ranging from one (1) year to three (3) years and a fine of not less than Five hundred thousand pesos (P500,000) but not more than Two million pesos (P2,000,000);

(c) **Spoliation of Recording.** — Any person who tampers with, alter, conceal, manipulate, falsify, or destroy a recording with the intent to interfere with an investigation shall be penalized with imprisonment ranging from six (6) months to six (6) years and a fine of not less than One hundred thousand pesos (P100,000) but not more than Five hundred thousand pesos (P500,000); and

(d) **Unauthorized Use of Recordings.** — Any use of the recording that is not in accordance with this Act shall be punishable with imprisonment of not less than six (6) months but not exceeding six (6) years, or a fine not less than One hundred thousand pesos (P100,000) but not more than One million pesos (P1,000,000) 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 agencies concerned. 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. — The Department of the Interior and Local Government and the Department of Justice, in consultation with the PNP, NBI, PDEA, and other concerned government agencies, 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 provision of this Act is declared unconstitutional, the remainder hereof not otherwise affected shall remain in full force and effect.

SEC. 16. Repealing Clause. — All laws, decrees, executive orders, rules, regulations, and other issuances or parts thereof which are contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. Effectivity Clause. — This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in a newspaper of general circulation.

Approved,