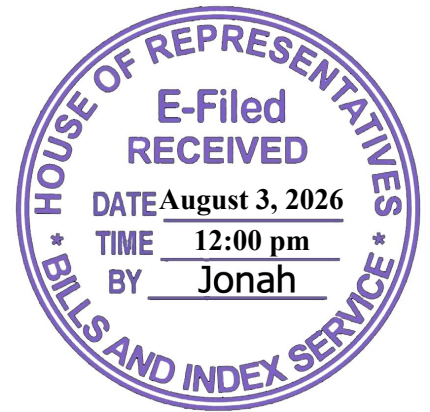


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
Second Regular Session

House Bill No. 10487



Introduced by: **REP. JOEL R. CHUA**

EXPLANATORY NOTE

The prime duty of the Government is to serve and protect the people. Article III (Bill of Rights) of the Constitution guarantees every person the rights to due process, security against unreasonable searches and seizures, and equal protection under the law. These constitutional guarantees require that law enforcement operations be conducted with professionalism, transparency, and accountability.

Body-worn cameras have become an internationally recognized tool for promoting responsible policing. They provide an objective record of law enforcement operations, protect law enforcement officers against false or malicious complaints, deter abuses of authority, and preserve valuable evidence for criminal prosecutions. Ultimately, it strengthens public confidence in the justice system.

Although the Supreme Court has required the use of body-worn cameras in the execution of search warrants through A.M. No. 21-06-08-SC, no comprehensive law presently mandates their use across all law enforcement operations. This measure seeks to institutionalize the mandatory use of body-worn cameras by law enforcement officers during the conduct of law enforcement operations. It likewise establishes standards for their use and custody, protect the privacy of individuals, and impose appropriate penalties for violations.

By promoting transparency while safeguarding constitutional rights, this measure strengthens both effective law enforcement and public trust in government institutions.

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

JOEL R. CHUA
Representative, 3rd District, Manila

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House Bill No. 10487

Introduced by: **REP. JOEL R. CHUA**

AN ACT MANDATING LAW ENFORCEMENT OFFICERS TO USE BODY-WORN CAMERAS IN 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 "Body-Cam Act of 2026"

Section 2. *Declaration of Policy.* - It is hereby declared the policy of the State to protect the life, liberty, and property of every person by promoting transparency, accountability, and professionalism in law enforcement. Consistent with Article II, Section 4 of the 1987 Constitution, which recognizes that the prime duty of the Government is to serve and protect the people, and Article III (Bill of Rights), which guarantees the fundamental rights of every individual, the State shall require the use of body-worn cameras in law enforcement operations to promote accountability, safeguard the rights of both law enforcement officers and the public, strengthen public trust, and ensure that official actions are conducted in accordance with the Constitution and the rule of law.

Section 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 cameras 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 operations;
- c.) Data Custodian refers to a designated officer of the law enforcement agency, who has the responsibility of storing and safekeeping data recorded from body-worn cameras and other alternative recording devices;
- 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 officer or employee of a law enforcement agency under Section 3(d) 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 of a law enforcement agency under Section 3(d) to enforce laws, statutes, 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 footage. It shall include the copies of the material created by way of copying to portable media storage and other data repositories.

Section 4. *Mandatory Use of Body-Worn Camera.* - Section 4. Mandatory Use of Body-Worn Cameras. – Law enforcement officers shall wear and activate body-worn cameras to capture and record the conduct of law enforcement operations: Provided, That in case of the unavailability or malfunction of body-worn cameras, law enforcement officers shall use alternative recording devices that comply with the requirements prescribed under this Act.

Failure to use a body-worn camera or an authorized alternative recording device, or to comply with the requirements of this Act, shall not by itself render unlawful or invalidate an otherwise lawful arrest, search, seizure, or other law enforcement operation conducted in accordance with the Constitution and existing laws. Such failure shall, however, constitute a ground for the imposition of the appropriate administrative, civil, or criminal liability, as may be warranted under this Act and other applicable laws.

Section 5. *Minimum Standards for Body-Worn Camera.* - Body-worn cameras 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 of continuous audio-video footage
- h. Low-light recording : with built-in night mode, low lux rating, and/or infrared (IR) illuminator

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

- a. Both the 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. The body-worn camera shall be worn in a location and manner that captures a video footage of the law enforcement officer's activities during the conduct of law enforcement operation; and
 - d. The body-worn camera shall record in full all the activities incidental to the conduct of the operation.

Section 7. *Prohibition on the Use of Body-Worn Cameras.* - The use of body-worn cameras shall not be allowed in the following instances:

- a. It shall not be used to gather intelligence information based on protected speech, 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.

Section 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 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.

Section 9. Custody and Period of Retention of Recordings. – All recordings captured through body-worn cameras or alternative recording devices during law enforcement operations shall be securely stored on an external storage device and in a secure web-based digital storage platform or other secure electronic storage system approved by the concerned law enforcement agency. Such recordings shall be under the custody of the law enforcement agency employing the officer whose camera captured the footage, through its designated data custodian.

Recordings shall be retained for a period of one (1) year from the date they are submitted to the data custodian, after which they may be permanently deleted, unless they are required to be preserved for purposes of a pending or anticipated criminal, civil, administrative, or quasi-judicial proceeding, an official investigation, an audit, or pursuant to a lawful order of a court or other competent authority.

Where a recording is subject to a preservation request or lawful order, the recording shall be retained until the final resolution of the proceeding or investigation and the lapse of the period for appeal, after which it may be disposed of in accordance with the implementing rules and regulations and other applicable laws.

Section 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.

Section 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 the law enforcement agency may, in its discretion, grant the use, viewing, copying, or disclosure of recordings 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.

Section 12. *Prohibited Acts.* It shall be unlawful for any of the person to perform the following acts:

- a. *Failure to Observe the Requirements for Body-Worn Cameras.* - Any law enforcement officer who fails to adhere to 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 - punishable by suspension of one (1) month and one 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 Recordings 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 Recordings.* - 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 six (6) 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 recordings 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 (Php100,000.00) but not more

than One Million Pesos (Php1,000,000.00) or both such fine and imprisonment at the discretion of the court.

Section 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.

Section 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, other concerned government agencies and at least two representatives from related non-governmental organizations, shall, within sixty (60) days from the effectivity of this Act, promulgate the rules and regulations to effectively implement the provisions of this Act.

Section 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.

Section 16. *Repealing Clause.* - All laws, decrees, executive orders, rules and 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.

Section 17. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.