



Republic of the Philippines  
National Police Commission  
**NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE**  
**DIRECTORATE FOR INVESTIGATION AND DETECTIVE MANAGEMENT**  
Camp Crame, Quezon City



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**INVESTIGATIVE DIRECTIVE**  
**NUMBER 2016- 14**

**Guidelines Relating to the Taking of Statements of Persons Who Voluntarily  
Surrender under Project Double Barrel**

**1. REFERENCES:**

- a. COMMAND MEMORANDUM CIRCULAR re PNP ANTI-ILLEGAL DRUGS CAMPAIGN PLAN-PROJECT: "DOUBLE BARREL";
- b. Pronouncement of PRESIDENT RODRIGO R DUTERTE to get rid of illegal drugs during the first six months of his term;
- c. Memorandum Circular (MC) No. 89 entitled "Implementation and Institutionalization of the National Anti-Drug Plan of Action" dated December 17, 2015;
- d. Investigative Directive No. 2015-05 dated November 10, 2015;
- e. DILG MC No. 2015-63 "Revitalization of the Barangay Anti-Drugs Abuse Council (BADAC) and Their Role in Drug Clearing Operations dated August 20, 2015;
- f. PNP Manual on Illegal Drugs Operation and Investigation dated September 2014;
- g. SOP on Booking of Arrested Person;
- h. PNP Memorandum Circular No. 2014-009 dated April 10, 2014;
- i. Executive Order No. 218 (Strengthening the Support Mechanism to PDEA) dated June 18, 2003;
- j. Republic Act 9165 otherwise known as the Comprehensive dangerous Drugs Act of 2002 dated June 7, 2002;
- k. Republic Act No.8551 otherwise known as Philippine National Police Reform and Reorganization Act Of 1998;
- l. Executive Order No. 226 dated February 17, 1995 entitled "Institutionalization of the Doctrine of Command Responsibility in all Government Offices";
- m. Republic Act No. 7160 dated October 10, 1991 (An Act Providing For A Local Government Code Of 1991);
- n. Presidential Decree No. 1829 (Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders);
- o. Republic Act No. 6713 dated February 20, 1989 (An Act Establishing a Code of Conduct and Ethical Standards for Public Officials And Employees); and
- p. Republic Act No. 3019 entitled "Anti-Graft and Corrupt Practices Act".

## 2. SITUATION:

Latest PNP report revealed that more than 500,000 drug users and pushers nationwide have surrendered to the authorities since the government, particularly the PNP, intensified its anti-illegal drugs campaign. The voluntary surrender of self-confessed users and pushers reaffirms the people's renewed faith and trust in the authorities.

Those personalities who voluntarily surrendered are good source of vital and essential information that can be used by PNP units and other law enforcement agencies in setting up the foundation for the data base that can be used for case build-up that would lead to the identification and neutralization of other illegal drug personalities and networks in the country. Hence, there is a need to prescribe the guidelines to be observed by police investigators in taking their statements.

## 3. PURPOSE:

This Directive prescribes the guidelines to be observed by police investigators in taking voluntary statements of illegal drug users and pushers, as well as police/military and appointed/elected government officials who voluntarily surrendered to authorities as a result of the implementation of Project "Tokhang" of the PNP. The focus of the statements to be taken from the users and pushers shall be for the identification of all the other drugs personalities such as coddlers and police/military and government officials who serve as protector, the extent of their individual participation in the illegal drugs trade, the organizational network of drug syndicates and other illegal drug-related matters.

## 4. GUIDELINES:

- a. A person who has duly filled up his Voluntary Surrender Form, and executed an affidavit stating that he has voluntarily surrendered and is willing to undergo the documentation process, shall be advised of the conditions and implications of his voluntary statement;
- b. The taking of statement shall be in the presence of his/her own counsel. If he/she decides to give his/her statement without a counsel, a waiver must be executed in the presence of a Public Attorney's Office lawyer;
- c. The taking of voluntary statement shall be recorded and done only inside an enclosed investigation room to ensure confidentiality, and no unauthorized personnel shall be present;
- d. The Duty Investigator must initially establish rapport with the surrenderer/s in order to get his maximum cooperation;
- e. The Duty Investigator must sufficiently explain to the surrenderer/s that the taking of statement shall only be voluntary. The Duty Investigator shall, under no circumstance, never coerce or deceive the surrenderer/s in taking their statements;

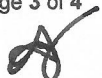




- f. In case the person who voluntarily surrendered opted to just submit his/her own prepared affidavit, the Duty Investigator must brief them on what essential information are to be reflected in the affidavit;
- g. The Duty Investigator shall endeavor to get essential information focusing on the identities of personalities and the extent of their participation in the traffic of illegal drugs and organizational network of drug syndicates which shall be included in the contents of the affidavits. In the process of taking affidavits, the Duty Investigator shall not limit his inquiry on the six (6) basic questions (5Ws and 1H), but to the person's knowledge on the details of the illegal drug activities (see attached sample sworn statement and affidavit: Annex A-F);
- h. The Duty Investigator shall first prepare the draft affidavit/sworn statement of the surrenderer, and to review it before finalization to ensure the accuracy of the contents;
- i. The sworn statement/affidavit can either be in English or Tagalog, or the surrenderer's vernacular, and shall be in six (6) original copies. If the surrenderer prefers the use of his/her vernacular, corresponding translation shall be provided below each statement;
- j. The statement/affidavit shall be under oath and shall be subscribed before a Notary Public or an authorized PNP personnel as prescribed in RA 6975, section 50, to wit:

*"Officers of the PNP from rank of inspector to senior superintendent, shall have the power to administer oaths on matters which are connected with the performance of their official duties."*

- k. During the process of subscribing the affidavit/sworn statement, the Duty PNCO or any designated PNCO/NUP shall take photos and/or videos of the proceedings for record purposes, and shall be certified/authenticated by the person who took the same;
- l. The Duty Investigator must assure the person who gave the voluntary statement that his/her affidavit shall be kept strictly confidential and may not be used as evidence without his consent; and
- m. The original copies of the complete set of voluntary surrender form, mug photo, AFIS, and the affidavit/sworn statement must be submitted to the Chief, Investigation Section/Division of the concerned PNP unit and copy of the same affidavit/sworn statement shall be provided to the Chief, Intelligence Section/Division, and Chief, Anti-Drug Section/Division of the same.



## 5. RESPONSIBILITIES:

- a. DDIDM
  - 1) Supervise the implementation of this Investigative Directive; and
  - 2) Perform other tasks as directed.
- b. Ex-O, DIDM
  - 1) Assist DDIDM in the implementation of this Investigative Directive; and
  - 2) Perform other tasks as directed.
- c. CMD
  - 1) OPR in the implementation of this Investigative Directive; and
  - 2) Perform other tasks as directed.
- d. C, PCEID
  - 1) Ensure the filing of administrative cases pursuant to existing policies against PNP personnel who commit infractions either through commission or omission relative to the guidelines of this Investigative Directive; and
  - 2) Perform other tasks as directed.
- e. RDs, PROs, D, AIDG and D, CIDG
  - 1) Ensure strict implementation of this Investigative Directive;
  - 2) Designate RIDMD/IND to monitor the compliance of investigation personnel regarding this Investigative Directive; and
  - 3) Perform other tasks as directed.

## 6. ADMINISTRATIVE SANCTIONS:

The filing of any administrative charges pursuant to NAPOLCOM MC 2016-002 shall proceed against personnel who commit infractions, either through commission or omission, relative to the guidelines set forth in this Investigative Directive. Manipulation of data and breach of confidentiality shall likewise be sanctioned according to existing rules and policies.

7. For guidance and strict compliance.

  
**AUGUSTO M. MARQUEZ, JR**  
Police Chief Superintendent

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