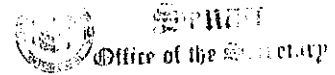


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



24 FEB 12 AM 12:20

SENATE

P.S.R. No. 928

RECEIVED BY: _____

INTRODUCED BY SENATOR RISA HONTIVEROS

RESOLUTION

CALLING FOR THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION INTO THE CIRCUMSTANCES LEADING TO THE ARREST AND DETENTION OF DIRECTOR JADE CASTRO AND HIS THREE COMPANIONS FOR ALLEGEDLY TORCHING A MODERNIZED JEEPNEY IN CATANAUAN, QUEZON, WITH THE END IN VIEW OF DETERMINING WHETHER OUR LAW ENFORCEMENT OFFICERS CONTINUE TO ADHERE TO WELL ESTABLISHED RULES AND REGULATIONS IN THE PERFORMANCE OF THEIR DUTIES, AND PROPOSING ADDITIONAL REMEDIAL MEASURES.

WHEREAS, Article II, Section 4 of the 1987 Constitution declares that "[t]he prime duty of the Government is to serve and protect the people," while the Bill of Rights guarantees that "[n]o person shall be deprived of life, liberty, or property without due process of law;

WHEREAS, Rule 113, Section 5 of the Rules of Court provides the different circumstances when warrantless arrests may be found lawful:

SECTION 5. Arrest without warrant; when lawful. — A peace officer or a private person may, without a warrant, arrest a person:

(a) When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense:

(b) When an offense has just been committed and he has probable cause to believe based on personal knowledge of facts or circumstances that the person to be arrested has committed it; and

(c) When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgment or is temporarily confined while his case is pending, or has escaped while being transferred from one confinement to another.

WHEREAS, no less than the Supreme Court, in several cases, have affirmed that warrantless arrests can only be done under aforementioned circumstances;

WHEREAS, despite these clear instructions from both law and jurisprudence, members of the Catanauan Philippine National Police (PNP), on 1 February 2024, proceeded to arrest, without any warrant, Director Jade Castro, Ernesto Orcimen, Noel Mariano, and Dominic Vellerio Ramos who were reportedly on vacation in Quezon, for allegedly torching a modernized jeepney in Barangay Dahican,

Catanauan, Quezon on 31 January 2024;

WHEREAS, while several witnesses were said to have provided positive identification and pointed to Director Jade and his companions as the alleged culprits, other witnesses, on the other hand, from the Local Government Unit (LGU) of Mulanay, Quezon, provided testimonies to say that Director Jade and his companions were actually in Mulanay, Quezon, the adjacent town, while the crime was happening in Catanauan, Quezon;

WHEREAS, Closed Circuit Television (CCTV) footage provided by the LGU of Mulanay also shows that Director Castro and his group can be seen in Mulanay, at around the time the crime was supposed to be happening in Catanauan, Quezon, which is around 30 minutes away by vehicle from Mulanay;

WHEREAS, various artist groups have spoken out to stand by Director Castro's innocence, while no less than the Commission on Human Rights have expressed doubts about the legality of the group's arrest;

WHEREAS, lawyers from the Free Legal Assistance Group who visited Director Castro and his group in detention likewise have called out the injustice with the manner of their arrest and the reported irregularities in their inquest proceedings; and

WHEREAS, there is a need to determine whether the operational guidelines and protocols that our law enforcers follow are sufficient and are being followed so as to not arbitrarily deprive citizens of liberty nor cast doubts when they perform their sworn duty to protect and to serve the people.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED TO CALL FOR THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE CIRCUMSTANCES LEADING TO THE ARREST AND DETENTION OF DIRECTOR JADE CASTRO AND HIS THREE COMPANIONS FOR ALLEGEDLY TORCHING A MODERNIZED JEEPNEY IN CATANAUAN, QUEZON, WITH THE END IN VIEW OF DETERMINING WHETHER OUR LAW ENFORCEMENT OFFICERS CONTINUE TO ADHERE TO WELL ESTABLISHED RULES AND REGULATIONS IN THE PERFORMANCE OF THEIR DUTIES, AND PROPOSING ADDITIONAL REMEDIAL MEASURES.

Adopted.


RISA HONTIVEROS
Senator