



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

23 JAN 31 P4 :25

RECEIVED BY: _____

SENATE

S.B. No. 1825

Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
MANDATING ANNUAL PSYCHIATRIC, PSYCHOLOGICAL DRUG AND
PHYSICAL TESTS FOR POLICE OFFICERS, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 6975, AS AMENDED, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article II, Section 4 of the 1987 Constitution affirms that "the prime duty of the Government is to serve and protect the people". This is in line with the Latin maxim "*salus populi est suprema lex*" or the welfare of the people is considered as the supreme law of the land.

On 13 December 1990, Republic Act No. 6975, or the "Department of the Interior and Local Government Act", was enacted with the goal to promote peace and order, ensure public safety and further strengthen local government capability aimed towards the effective delivery of the basic services to the citizenry through the establishment of a highly efficient and competent police force that is national in scope and civilian in character.

Republic Act No. 6975 was further amended by Republic Act No. 8551, or the "Philippine National Police Reform and Reorganization Act of 1998", affirming the role of the Philippine National Police (PNP) in the community, and with emphasis that it is a service-oriented agency responsible for the maintenance of peace and order and public safety.

Last 20 December 2020, a video of a police officer firing his gun at point-blank range against two defenseless civilians, thereby instantly killing them, spread throughout various social media platforms and shocked the entire country. The police officer in the video was later on identified as Senior Master Sergeant Jonel Nuezca, a police officer who was off-duty at the time the incident took place, and with at least six (6) administrative cases prior to the said incident, two (2) of which involved grave misconduct involving homicide.

In addition, on 31 May 2021, a drunken, off-duty police officer fatally shot Lilybeth Valdez, a 52-year-old mother, in Greater Fairview, Quezon City. The police identified the suspect as Master Sergeant Hensie Zinampan of the Police Security and Protection Group. According to reports, the killing stemmed from a heated argument between Zinampan and Valdez' son.

Recently, several news articles have reported that police officers from Bayambang Municipal Police Station allegedly harassed Ms. Merly Gallardo, an onion farmer, who testified in a Senate probe on soaring onion prices last 16 January 2023. The Department of Interior and Local Government Secretary Benhur Abalos Jr. already ordered the agency's regional and provincial offices to look into the reported police harassment.

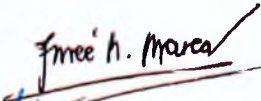
These, together with several other police-related crimes in the recent years, caused fear, shock, and anger among the populace, besmirching the image of the PNP as the protector of the people.

While these may be considered as isolated cases perpetrated by police officers, it pressed a serious issue on the procedure being implemented by the PNP to ensure and promote the psychiatric and psychological fitness of its officers and members.

Republic Act No. 6975, as amended, requires the conduct of regular psychiatric, psychological drug and physical tests of our police officers. However, at present, these tests are only given during recruitment, promotion, and when directed by a supervisor.

In an effort to ensure the mental and psychological well-being of our police officers, this bill seeks to make mandatory the conduct of their annual psychiatric, psychological drug and physical tests as well as to undergo stress debriefing programs for those whose operational work necessarily expose them to traumatic situations.

Thus, the passage of this bill is earnestly sought.


IMEE R. MARCOS



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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Section 30 of Republic Act No. 6975, as amended, is hereby further
2 amended to read as follows:

3
4 "SEC. 30. *General Qualifications for Appointment.* - No person shall be appointed
5 as officer or member of the PNP unless he or she possesses the following
6 minimum qualifications:

7
8 "a) A citizen of the Philippines;

9 "b) A person of good moral conduct;

10 "c) Must have passed the psychiatric/psychological, drug and physical tests to be
11 administered by the PNP or by any NAPOLCOM accredited government hospital
12 for the purpose of determining physical and mental health;

13 "d) Must possess a formal baccalaureate degree from a recognized institution of
14 learning;

15 "e) Must be eligible in accordance with the standards set by the Commission;

16 "f) Must not have been dishonorably discharged from military employment or
17 dismissed for cause from any civilian position in the Government;

18 "g) Must not have been convicted by final judgment of an offense or crime
19 involving moral turpitude;

20 "h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for
21 male and one meter and fifty-seven centimeters (1.57 m.) for female;

22 "i) Must weigh not more or less than five kilograms (5 kgs.) from the standard
23 weight corresponding to his or her height, age, and sex; and

1 "j) For a new applicant, must not be less than twenty-one (21) nor more than
2 thirty (30) years of age: except for the last qualification, the above- enumerated
3 qualifications shall be continuing in character and an absence of any one of them
4 at any given time shall be a ground for separation or retirement from the service:
5 Provided, That PNP members who are already in the service upon the effectivity
6 of this Act shall be given at least two (2) more years to obtain the minimum
7 educational qualification and one (1) year to satisfy the weight requirement.
8

9 For the purpose of determining compliance with the requirements on physical
10 and mental health, as well as the non-use of prohibited drugs, the PNP by itself
11 or through a NAPOLCOM accredited government hospital shall conduct [~~regular~~]
12 **ANNUAL** psychiatric, psychological drug and physical tests [~~randomly and~~]
13 without notice.
14

15 **PROVIDED, THAT, PNP OFFICERS AND MEMBERS WHOSE**
16 **OPERATIONAL WORK EXPOSE THEM TO TRAUMATIC SITUATIONS**
17 **SHOULD, AFTER SUCH OPERATIONS, BE SUBJECTED TO STRESS**
18 **DEBRIEFING FOR THE PURPOSE OF PREVENTING MENTAL HEALTH**
19 **DISORDERS."**
20

21 xxx
22

23 **SEC. 2. Repealing Clause.** – All laws, presidential decrees, letters of instructions,
24 executive orders, rules and regulations insofar as they are inconsistent with this Act,
25 10 are hereby repealed or amended as the case may be.
26

27 **SEC. 3. Effectivity.** – This Act shall take effect after fifteen (15) days following
28 the completion of its publication either in the Official Gazette or in a newspaper of
29 general circulation in the Philippines.

Approved,