



# Bureau of Corrections

Document Reference Code

**BUC-NBP-WI-003**

Revision No.

0

Effectivity Date


01/05/2018

**DISCIPLINE WORK INSTRUCTION: FILING  
OF CRIMINAL CASE AGAINST PERSONS  
DEPRIVED OF LIBERTY**

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## REVISION HISTORY AND APPROVAL

Rev.	Date	Nature of Changes	Approved By
0		Original issue.	Supt. Roberto R. Rabo

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## 1. PURPOSE

To establish document, implement and maintain work instruction for filing of criminal case against an erring Person Deprived of Liberty.

## 2. SCOPE

This work instruction covers the arrest/confiscation of a contraband, investigation and filing of legal action against a Person Deprived of Liberty.

## 3. DEFINITION OF TERMS

Spot Report	<ul style="list-style-type: none"> <li>Refers to the document initially executed by the Arresting/Seizing Officer that contains information such as names of offender/s, victim/s, witnesses, time, date, place and nature of the incident, specification of the contraband seized.</li> </ul>
Incident Report	<ul style="list-style-type: none"> <li>Refers to the document executed by the immediate supervisor of the arresting/seizing officer to inform the Superintendent or next higher authority in relation to the initial spot report.</li> </ul>
IDPS	<ul style="list-style-type: none"> <li>Refers to the Inmate Documents Processing Section, the office in charge of the repository of PDL carpetas or prison records jacket.</li> </ul>
Case Folder	<ul style="list-style-type: none"> <li>Refers to the complete set of documentary requirements in the filing of criminal complaint against the PDL.</li> </ul>
Superintendent's Directive	<ul style="list-style-type: none"> <li>Refers to any order or memorandum of the Superintendent tasking the Investigation Section to undertake investigative procedures to elicit the facts and circumstances surrounding the incident.</li> </ul>



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### 4. DETAILS

Item No.	Activity	Responsibility	Interface
4.1	<p><b>To effect the arrest of or confiscation of a contraband from a PDL</b></p> <p>4.1.1 Alert the compound and segregate the offender from the main prison population and place under restraints (handcuffs). If a victim is available, direct his immediate dispatch to the hospital or infirmary for medical attention.</p>	Arresting/ Seizing Personnel	Spot Report
4.2	<p><b>To collate, document and preserve evidence</b></p> <p>4.2.1 Properly preserve, mark or label any item or object of evidentiary value. In cases of:</p> <p>4.2.1.1 Crimes against person or property, the specification of the weapon/tool used in the crime, if applicable;</p> <p>4.2.1.2 Drugs-related cases, the description of suspected contraband in relation to appearance, approximate weight or quantity and container, if applicable.</p> <p>4.2.2 Ensure the proper inventory, deposit and safekeeping of evidence/s obtained from the scene of the crime for its orderly retrieval from the evidence custodian or Armory and submission to any crime lab for testing, if necessary.</p>	Arresting/ Seizing Personnel	Inventory Report of Seized Items  Routing Slip
4.3	<p><b>To execute a written report of the incident</b></p> <p>4.3.1 Prepare a Spot Report for submission to the immediate supervisor containing all the necessary details of the incident such as the identity of the perpetrator, dormitory</p>	Arresting/ Seizing Personnel	Spot Report



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Item No.	Activity	Responsibility	Interface
	<p>assignment, the date / time / place and nature of incident, technical description of obtained evidence, if available;</p> <p>4.3.2 Prepare an Incident Report for submission to the Superintendent, indicating any recommended action on the matter and together with any documentary attachments;</p> <p>4.3.3 Collate documentary and object evidence for proper turnover to the investigator/s.</p>		Incident Report
4.4	<p><b>To prepare transmittal letter for turnover of illegal items subject of crime lab testing</b></p> <p>4.4.1 Prepare a Transmittal for approval of the Superintendent for the turnover of object evidence obtained to the Crime Laboratory;</p> <p>4.4.2 Prepare object evidence and ensure labels, markings and seals are properly intact;</p> <p>4.4.3 Collect and account the evidence/s and facilitate the expeditious turnover of the same to the crime laboratory within the prescribed period. For suspected illegal drugs, within 24 hours from the time of confiscation.</p>	Immediate Supervisor	Transmittal
4.5	<p><b>To probe the incident and establish culpability. Execute an Investigation Report for approval of the Superintendent</b></p> <p>4.5.1 Investigate the incident thru the conduct of interviews of the perpetrator, possible witnesses, and if possible, the victim. Make an ocular inspection of the crime scene;</p> <p>4.5.2 Submit an Investigation Report for approval of the Superintendent.</p>	Investigator	<p>Supt.'s Directive</p> <p>Investigation Report</p> <p>Affidavit of Witnesses</p> <p>Reference reports</p>

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Item No.	Activity	Responsibility	Interface
4.6	<b>To assist the Arresting/Seizing Officer in the facilitation of filing appropriate charges against the PDL</b> 4.6.1 Assist the Arresting/Seizing officer in the crafting of the verified complaint, ensuring that the same is sufficient in form and substance and all necessary attachments are present pursuant to the Rules on Criminal Procedure.	Investigator	Complaint Affidavit  NPS Form
4.7	<b>To file the criminal case before the Prosecutor's Office</b> 4.7.1 Prepare the case folder in five (5) copies; 4.7.2 File the complaint with the Prosecutor's Office together with the pre-accomplished NPS Form for stamping of the docket number.	Arresting/ Seizing Officer	NPS Form Complaint Affidavit Affidavit of Witnesses Case Referral Crime Lab Test Result
4.8	<b>To furnish IDPS of case folder with docket number</b> 4.8.1 Submit the copy of the docketed case folder with IDPS for inclusion in the PDL's carpeta.	Investigator	Case Folder
4.9	<b>To furnish the BOD with case record for conduct of administrative proceedings</b> 4.9.1 Endorse a copy of the case records to the BOD for the conduct of administrative proceedings against the PDL.	Investigator	Case Folder

## 5. REFERENCES:

- 5.1. BuCor Operating Manual dated 30 March 2000
- 5.2. Revised Rules on Criminal Procedure