

HUMAN RIGHTS ADVISORY FOR PNP PERSONNEL CONDUCTING CHECKPOINTS

(Revised POP December 2013, Rule 11 page 15-26)

In the Conduct of Police Checkpoints, all PNP personnel must promote and protect the citizen's rights to dignity, privacy, and freedom of movement. Hence, the following protocols must be observed:

1. *The Checkpoint must* be authorized, legal and based on the POP;
2. Personnel conducting the checkpoint must be kind and courteous;
3. Approach the motorist with holstered firearm, unless there is an imminent threat on the part of the police;
4. Search of vehicle during checkpoint is limited to a visual search;
5. Mulcting /asking anything directly or indirectly from the motorist is strictly prohibited;
6. Right against self incrimination of the motorist must be respected;
7. Never shout or indulge in prolonged conversation and argument with the motorists;
8. Avoid overreaction or aggression to the suspect/s;
9. Don't force the driver and occupant/s of the vehicle to alight without valid reason;
10. Arrested person at the checkpoint must be informed of the Miranda and anti-torture warning;
11. Arrested person must be referred immediately to the nearest Police Station;
12. Seized drugs, contraband and other illegal items at the checkpoint must be immediately photographed and inventoried. A copy of the inventory report shall be given to the suspect;
13. Warning shot or firing at the fleeing suspect is strictly prohibited, use of police sirens, mega phone and roadblock to stop the suspect are encouraged; and
14. Only reasonable force may be used to overcome the resisting and hostile suspect.

