

WARRANTLESS ARREST PROCEDURES

Step 1.

Order the suspect/s to freeze.

Step 2.

Make proper introduction & authority to arrest.

If the suspect is armed with firearm, bladed/pointed and other deadly weapon:

- Order the suspect to slowly lay down their weapons, stop resisting and raise their hands up.
(a police officer may assume a combat ready position with his hands over his firearm or draw the firearm pointing the muzzle to the ground)
- Secure the weapon and proceed to step 3

Resisting arrest:

- Only reasonable force or use of non lethal weapon is applied to restrain the suspect;
- After exhausting all means to make the suspect peacefully surrender, the police officer is authorized to use calibrated lethal force to suppress the threat; and
- If the suspect is armed and aggressively confronts the arresting officer, arresting officer may use his firearm when faced with real threat on his life under the doctrine of self defense, defense of relative and stranger.
- When armed resistance subsides, the police officer must cautiously approach the suspect and apprehend him.

Step 3.

Inform the arrested person of the circumstances of his arrest and read/recite Miranda Warning & Anti-Torture Warning.

Step 4.

Secure the person to be arrested and use handcuffs for the protection of the arresting officer, other individual or the arrested person himself.

(Minors, PWD, Elderly, and Pregnant Women may not be handcuffed depending on their physical condition)

Step 5.

Conduct thorough search for weapons, illegal materials of the person arrested and surroundings.

- Male suspect – to be search by male or female police officer
- Female suspect – to be search only by female police officer
- LGBT – lesbian – WCPD
 gay – male

Step 6.

Confiscated evidence shall be properly documented and chain of custody procedures.

Step 7.

No unnecessary force shall be used in making the arrest.

(Resisting arrest: only reasonable force employed to restraint the suspect)

Step 8.

Bring the arrested person to the nearest police station for further investigation and disposition.

WARRANTLESS ARREST PROCEDURES

Step 1
Freeze or restrain the suspect/s



Step 2
Make proper introduction & authority to arrest



If the suspect is armed with firearm, bladed/pointed and other deadly weapon:

- Order the suspect to slowly lay down their weapons, stop resisting and raise their hands up. (a police officer may assume a combat ready position with his hands over his firearm or draw the firearm pointing the muzzle to the ground)
- Secure the weapon and proceed to step 3
- In case of arrest without a warrant, it shall be the duty of the arresting officer to inform the person to be arrested of his authority and the cause of the arrest except when he flees or forcibly resists before the arresting officer has the opportunity to inform him or when the giving of such information will imperil the arrest



Step 3
Inform the arrested person of the circumstances of his arrest and read/recite Miranda Warning & Anti-Torture Warning



Step 4.

Secure the person to be arrested and use handcuffs for the protection of the arresting officer, other individual or the arrested person himself.

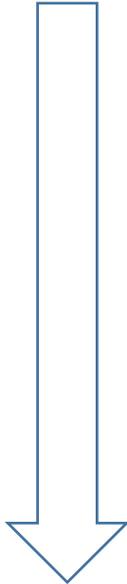


Minors, PWD, Elderly, and Pregnant Women may not be handcuffed depending on their physical condition

○ No unnecessary force shall be used in making an arrest

Resisting arrest:

- ✓ Only reasonable force or use of non lethal weapon is applied to restrain the suspect;
- ✓ After exhausting all means to make the suspect peacefully surrender, the police officer is authorize to use calibrated lethal force to suppress the threat; and
- ✓ If the suspect is armed and aggressively confronts the arresting officer, arresting officer may use his firearm when faced with real threat on his life under the doctrine of self defense, defense of relative and stranger.
- ✓ When armed resistance subsides, the police officer must cautiously approach the suspect and apprehend him.



Step 5

Conduct thorough search for weapons, illegal materials of the person arrested and surroundings



Step 6

Confiscated evidence shall be properly documented and observe chain of custody procedures



Step 7

Booking Procedure

- Body Search
- Mug Shot
- Ten Print
- Medical Exam



- ❑ Male suspect – to be searched by male or female police officer
- ❑ Female suspect – if available, to be searched by female police officer
- ❑ When women or children are among the arrested suspect/s, the arresting officer shall task the Women and Children's Protection Desk (WCPD) officer or a policewoman who is familiar with women and children protection desk duties to conduct the pat-down search

Step 8

Investigator briefs the suspect of the rights of persons arrested or under custodial investigation



Step 9

Investigation proper



Step 10

Preparation of complaint and consolidation of evidence to support the filing of case



Step 11
Filing of complaint to the prosecutor



Step 12
Obtain commitment order



Step 13
Bring the arrested person to the nearest government or PNP hospital for physical and medical examination



Step 14
Turn-over to the BJMP for detention of suspect



If suspect signed a waiver of the provisions of Article 125 of the RPC in the presence of counsel

Note:
Applying the provision of Rules of Court
12-18-36 Hrs.

