

# Administration And Supervision Of Local Police Forces

MALACANAN PALACE  
BY THE PRESIDENT OF THE  
PHILIPPINES  
EXECUTIVE ORDER NO. 175  
REVISING THE RULES AND REG-  
ULATIONS RELATIVE TO THE  
ADMINISTRATION AND SUPER-  
VISION OF LOCAL POLICE FOR-  
CES.

In order to secure and maintain a high degree of efficiency in the organization and operation of local police forces pending designation of the Department Head<sup>1</sup> who shall exercise supervision over them, and to supplement Executive Order No. 153 reorganizing the Philippine Constabulary into a national police force, I, MANUEL L. QUEZON, President of the Philippines, by virtue of the powers in me vested by law, do hereby publish the following policies and order for the guidance of all concerned:

## I. *General*

1. All local police bodies shall be brought to and kept on a high level of efficiency, so that peace and order may be maintained effectively and the laws enforced equally to all.

2. Governors are directly responsible for the efficient functioning of the provincial guards, and are charged with supervision of the performance of police duties within their respective provinces. They shall be held responsible for the efficient operation of all local police bodies.

3. Mayors are charged with direct responsibility for the efficient operation of the local police force and with the enforcement of law in their respective cities or municipalities.

4. Chiefs of police are responsible to their respective mayors and the mayors to their respective governors for the impartial enforcement of law and for the administration, discipline, efficiency, and training of their commands.

5. In case of emergency, the governor may, in consultation with the provincial inspectors, mobilize policemen from different municipalities to cope with the situation, and immediately advise the President of the Philippines thereof, giving full details as to the reasons for the mobilization, the municipalities affected, the number of policemen mobilized, and other pertinent information; but no chief of police or policeman shall be mobilized from his municipality to another for a period longer than fifteen days without the express authority of the President. All expenses in connection with such mobilization shall be paid from provincial funds.

6. Inefficiency on the part of the local police, or laxity or partiality in the enforcement of law, or any violation of the provisions of this Order may be sufficient cause for the President to order the removal from office of the culpable chief of police, mayor or governor, or all of them, as the case may be.

## II. *Supervision by the Philippine Constabulary*

7. The Philippine Constabulary is the agency through which the President of the Philippines will insure the efficient organization and discipline of all local police bodies, the operation of which shall be under the supervisory direction of the governor of the province and the mayor of the city or municipality, as the case may be.

8. District inspectors shall maintain constant contact with local police bodies and assure themselves as to their efficient operation.

9. Provincial inspectors are responsible for the inspection of all local police forces within their respective jurisdictions. Inspections shall comprise an examination into all phases of police work in order to determine the efficiency of police bodies in the en-

<sup>1</sup>Sec. of the Interior, per Ex. Ord. 176, s. 1938.

forcement of the laws and ordinances, and shall include inquiries into the local reputation of the police as to honesty and integrity. Inspections shall not necessarily be made completely at fixed intervals of time, but shall be in the nature of constant inquiry and supervision. For these purposes, provincial inspectors are authorized to employ any commissioned officer of the Philippine Constabulary.

10. The provincial inspector shall correct minor defects noted during his inspections, and shall furnish the mayor and the governor with copies of report submitted to the Chief of Constabulary. When the provincial inspector finds evidence of loose discipline, or laxity, or partiality in the enforcement of law, he shall make a detailed report to the Office of the President through the Chief of Constabulary, furnishing a copy thereof to the mayor and to the governor.

### III. *Appointments to the Local Police*

11. All local police bodies, the members of which were not appointed from Civil Service lists, shall be critically examined to determine competency, efficiency, and physical capacity. Only those men who have demonstrated aptitude, trustworthiness and devotion to duty shall be retained in the service; men who lack these essential qualities shall be dropped and replaced by men selected as prescribed below for new appointees. Actual records as policemen or as provincial guards shall be made the criteria as to the advisability of retaining members of local police forces. The selection of men to be retained shall be made as follows:

12. In each province, municipality or chartered city in which there are provincial guards or policemen who have not qualified under Civil Service rules, the governor shall convene a board composed of himself, as chairman, the mayor concerned, the provincial inspector of Constabulary or a commissioned officer of the Constabulary designated by the provincial inspector, as members. The board shall inquire into the qualifications of each member of the local

police, including the chiefs of police, to determine each man's aptitude, trustworthiness, attention to duty and general value to the service. In the case of provincial guards the provincial fiscal shall sit as member of the board in lieu of the mayor.

13. Each board so constituted shall recommend each policeman or provincial guard, as the case may be, for retention or for dismissal after giving him ample opportunity to be heard in accordance with Civil Service Rules and Regulations. The proceedings of each board shall be forwarded by the governors concerned, through the Commissioner of Civil Service, to the President of the Philippines for final decision in each particular case. Copies of the proceedings shall be furnished the Chief of Constabulary.

14. Hereafter, appointments to and promotions in the municipal, city and provincial police service shall be made in accordance with Civil Service Rules and Regulations by the respective city or municipal mayor or governor, with the approval of the President of the Philippines pending designation of the Department Head who is to exercise supervision over local police forces, except in the case of chiefs of police of chartered cities which is governed by special provisions of law. The selection of appointees shall be made whenever possible from the list of eligibles in the corresponding city or municipality, if there are any, and in the negative case, from the general list of eligibles in the province. Pending approval of the appointment by the President, the appointee may assume office and receive salary for services actually rendered until the appointment is finally acted upon.

15. No special police shall be appointed without the previous authority of the President of the Philippines and all appointments of special policemen shall be submitted to the Office of the President for approval.

16. The Commissioner of Civil Service shall announce from time to time the date and place of examination to

qualify for the police service, which shall be held in accordance with the provisions of the Civil Service Law and Rules.

17. To be eligible for examination for initial appointment, a candidate must be a citizen of the Philippines, between the ages of 21 and 30, of good moral habits and conduct, without any criminal record, and must not have been expelled or dishonorably discharged from any civil or military employment. He must possess physical qualifications as prescribed in approved regulations, and must have the educational attainment, in chartered cities, of high-school graduate, and in municipalities of intermediate school graduate. In every case preference shall be given to candidates who have completed trainee instruction, or who have been honorably discharged after an enlistment in the Philippine Army or Philippine Scouts.

18. No position in any city or municipal police force or in the provincial guards shall be abolished, nor may the

salary corresponding thereto be reduced, without the approval of the President of the Philippines.

#### IV. Investigation, Suspension and Removal of Local Police

19. Governors and city or municipal mayors are authorized to suspend provincial guards and members of city or municipal police, respectively, in case of commission in their presence of a serious offense, or when the commission of said offense is immediately reported to them. Governors are likewise authorized to suspend members of municipal police who commit a serious offense in their presence, but they shall communicate the fact of such suspension to the mayor concerned. The order of suspension shall be made in writing and the provincial inspector furnished with a copy thereof.

20. In case a member of the local police or provincial guard is accused in court of any felony or any violation of law by the provincial fiscal, the mayor or the governor, as the case may be, shall immediately suspend the accused from office and shall furnish the provincial inspector with a copy of the order of suspension.

21. When an administrative complaint is filed against a member of a local police force or provincial guard, or he is suspended by order of the city or municipal mayor or the governor concerned in accordance with paragraphs 19 and 20 of this order, the papers pertaining thereto shall be referred to the provincial inspector for investigation. If the respondent has not been suspended and the provincial inspector believes that, in the interest of public service, the respondent should be suspended pending investigation, the provincial inspector shall so request in writing the city or municipal mayor in the case of city or municipal police, and the governor in the case of provincial guards, who shall forthwith issue the order of suspension.

22. In the case of members of the police force of the City of Manila, the  
(Continued on page 264)

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recommendation of the proper department head shall reduce the salary of said officials to the maximum rate fixed for the corresponding officials in the next lower class of province.

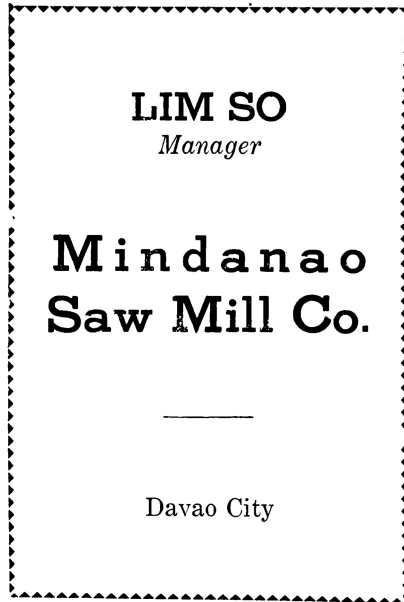
SEC. 2. One-half of the salary of the provincial auditor and of the district health officer shall be paid out of the national funds and the other half shall be paid out of the general fund and health fund, respectively, of the province concerned, *provided, however*, that an increase in salary of any provincial auditor or district health officer as herein fixed shall not take effect until after one-half thereof shall have been provided for in the General Appropriation Act.

SEC. 3. All acts and regulations inconsistent with the provisions of this Act are repealed.

SEC. 4. This Act shall take effect on July 1, 1949.

Approved.

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**Administration . . .**

procedure of investigation heretofore followed shall be continued.

23. Unless otherwise directed by the President of the Philippines, members of local police forces who have been suspended pending the decision of the administrative charges against them shall be reinstated in office after thirty days, if no judgment has been then rendered, without prejudice to the outcome of the case.

24. All records of investigations as above prescribed shall be submitted without delay to the Commissioner of Civil Service, whose decision for the removal, suspension, discipline, or exoneration of the respondent shall be final.

25. In no case shall the position of a suspended policeman or provincial guard be filled without previous authority from the President of the Philippines.

26. After the reorganization prescribed in paragraphs 11, 12 and 13, removals from the local police service shall be effected by the Commissioner of Civil Service in accordance with the provisions of Executive Order No. 39, series of 1936.

*V. Police Rules and Regulations*

27. Pending the approval and issuance of the police rules and regulations as contemplated in section 6 of Commonwealth Act No. 343, the rules and regulations governing the internal organization and discipline in the former State Police shall continue in force in so far as they are not inconsistent with the provisions of Commonwealth Act No. 343, Executive Order No. 153, and of this Order.

28. Executive Order No. 156, dated August 1, 1938, is hereby revoked.

Done at the City of Manila, this 11th day of November, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

(Sgd.) MANUEL L. QUEZON  
*President of the Philippines*

By the President:  
(Sgd.) JORGE B. VARGAS

*Secretary to the President*