



EVALUATION ON THE DISCIPLINARY MECHANISM OF THE PHILIPPINE NATIONAL POLICE PARTICULARLY POLICE REGIONAL OFFICE CORDILLERA

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ABSTRACT

Organizational discipline is the practice of self-restraint and learning to follow the best course of action which may not be according to one's desire. Discipline is important as it binds the employees and also motivates them to respect their organization. (Jit, R., et al., 2020). Despite being known to be the "Home of the Most Disciplined Cops" in the entire nation, a number of the Personnel of Police Regional Office Cordillera is still being confronted with administrative cases. The top cases as defined and penalized under the National Police Commission Memorandum Circular 2016-002 (Revised Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police) are Cases of Misconduct and Neglect of Duty. The common reasons for these infractions are failure to comply/follow orders, psychological/behavioral problems, family issues and financial problems. While most of the offenders are with the ranks of Patrolmen/women, Police Corporals and Police Staff Sergeants.

KEYWORDS: Disciplinary Mechanism, Disciplinary Authority, Misconduct, Neglect of Duty/Nonfeasance, Conduct Unbecoming of a Police Office, Deterrence, Irregularity in the Performance of Duty, Focused Reformation/Reorientation and Moral Enhancement (F.O.R.M.E) for Police Officer

INTRODUCTION

Disciplinary Mechanism in the Philippine National Police (PNP) is definitely one of the most important tools in helping the appointed disciplinary authorities administer sanctions against erring PNP personnel who fail to abide by the rules and regulation of the PNP. More importantly this will help raise the competence of our police pre-charge evaluators and summary hearing officers who are tasked to keep the PNP Disciplinary Mechanism running and expedite the resolution of administrative cases involving both the uniformed and non-uniformed personnel. (Robredo, J., 2011).



The Philippine National Police is mandated to investigate all forms of crime with the ultimate objective of giving justice to the victims and bringing the perpetrators to the bar of justice. Hence, the PNP is a vital and indispensable institution of the Criminal Justice System. It is in effect a guardian of justice. But what if a guardian of justice intentionally skews the investigation to favor the suspects for any consideration? Or, what if by their sheer incompetence or laziness or negligence the investigation is bungled? Who will hold them accountable? Que custodiet, custodias? or Who will guard the guardians? The PNP has instituted several mechanisms to ensure that fidelity by its members to laws and regulations is ensured. (PNP Pre-Charge Evaluation and Summary Hearing Guide (PNP Disciplinary Mechanism, 2011)

METHODOLOGY

This study used the Qualitative Method using descriptive explanatory design in assessing the Disciplinary Mechanism of PRO Cordillera. Interview Protocol were answered by the participants, the men and women of Police Regional Office Cordillera particularly the Discipline, Law and Order Section (DLOS) in the different Police Provincial Offices in Police Regional Office Cordillera and the Pre-Charge Evaluation/Investigation Section, Police Non-Commissioned Officers of the Region.

DISCUSSION

In a police organization, small problems must be fixed immediately before they get worse. The chief of the Philippine National Police had stated that, internal cleansing of “erring cops” and eradicating the “culture of wrongdoings among policemen” will be implemented. There must be effective supervision and “leadership by example” of officers to their lowest units. (Maderazo, J.J., 2021).

The misconduct, neglect of duty, conduct unbecoming committed by a police officer may be subjected to pre-charge evaluation, and if there found to be a probable cause to believe that said offense indeed transpired and the respondent police officer is probable guilty thereof, the respondent will be subjected to summary hearing proceeding. This will instill discipline to a police officer and also to serve as a deterrent to other police officers.

The National Police Commission had listed Police Regional Office Cordillera as one of the most disciplined police officers in the entire Philippines. It has been observed that police



officers from the region are doing well compared to their counterparts from other regions, especially when it comes to discipline. But despite being acclaimed as the “Home of the most disciplined cops,” Police Regional Office Cordillera has still a minimal percentage of its personnel facing administrative charges as a result of personal actions and unavoidable circumstances while in the performance of their duties. Most of these offenses are Misconduct, Neglect of Duty and sometimes Conduct Unbecoming of a Police Officer. It is for this very reason that there is a need to evaluate the disciplinary mechanism in the region to determine the areas to focus and problems to address in order to, live up to its standard as the “Home of the Most Disciplined Cops.” Furthermore, Organizational discipline is the practice of self-restraint and learning to follow the best course of action which may not be according to one’s desire. Discipline is important as it binds the employees and also motivates them to respect their organization. (Jit, R., et al., 2020)

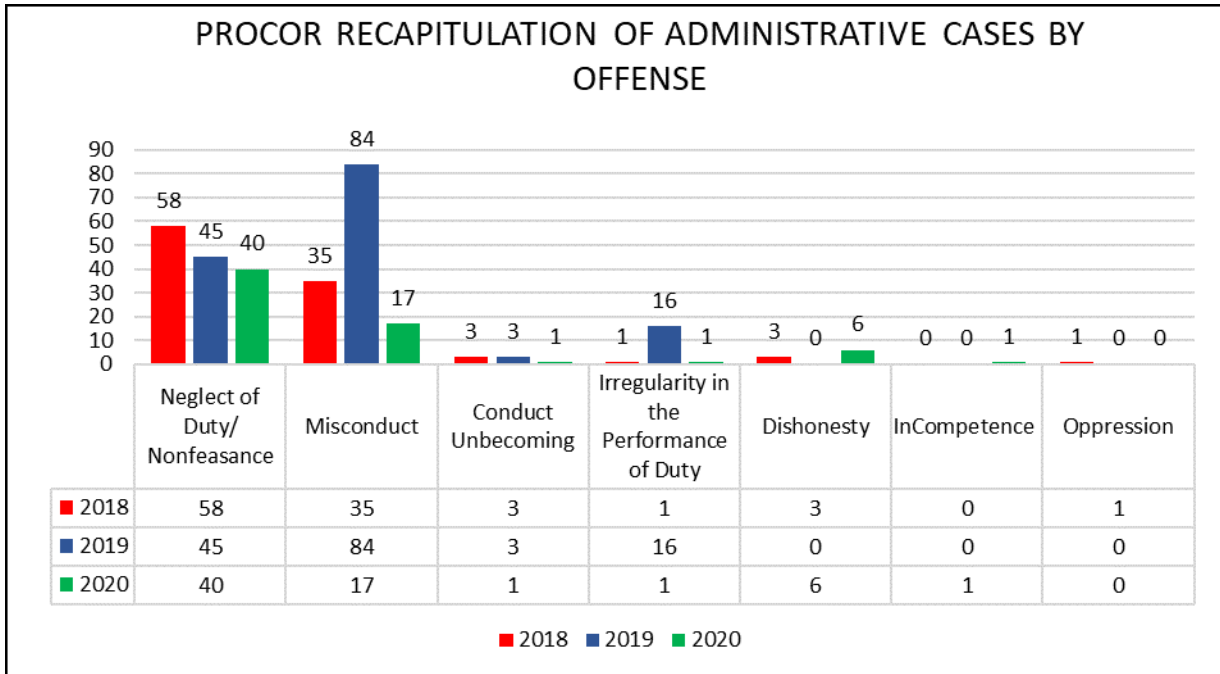
FINDINGS

1.Reasons for Misconduct and Neglect of Duty. In the recent case of Neglect of Duty in the region, one of Benguet PPO’s personnel went home to his hometown in Bulacan. He failed to report for a period of more than thirty (30) days. Phone Calls were made and notices to report were sent to his home address as reflected in his Personnel Accounting Information System (PAIS), but still opted not to report for duty. He did not even bother to file the necessary Leave of Absence. Other police Provincial Offices’ Neglect of Duty Cases are results of going on leave without filing the necessary leave of absence, or may have gone on leave but failed to report for duty after the lapse of his/her approved leave. As to Misconduct Cases, Baguio, Benguet and Apayao made mention of the Loss of Firearms due to Robbery committed inside their homes. Based from the data given by the different personnel of Discipline, Law and Order Section (DLOS) Police Non-Commissioned Officers (PNCOs) in the different Police Provincial Offices and City Police Office and the Pre-Charge Investigation Section PNCOs of Baguio City Police Office and Benguet Provincial Office, erring personnel are prone to commit misconduct and neglect of duty. From the profile of the respondents, it appears that most offenders are Junior PNCOs or with the ranks of Patrolmen/women, Police Corporals and Police Staff Sergeants. Survey also revealed that the

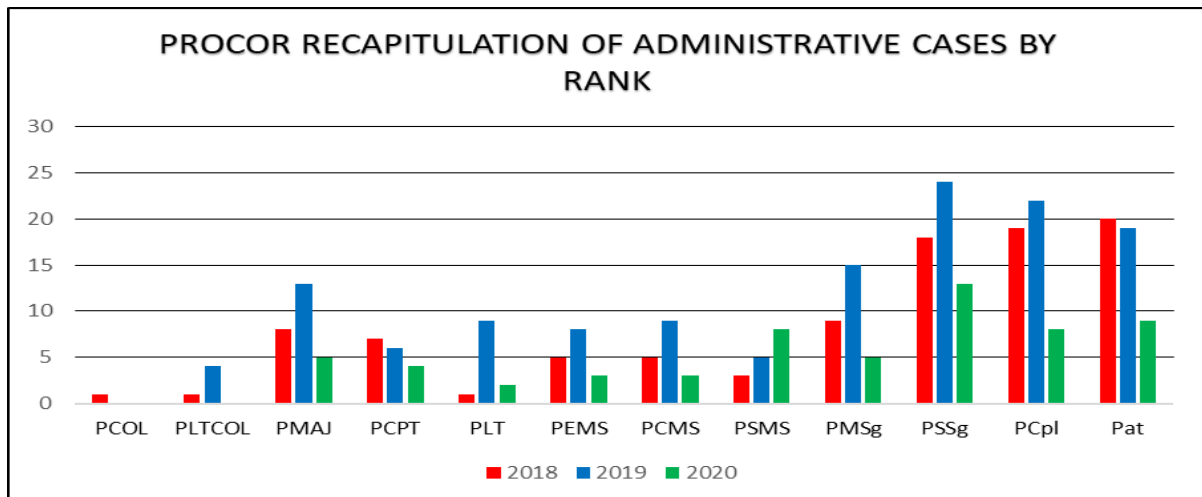


common reasons of committing infractions are: failure to comply/follow orders, psychological/behavioral problems, family issues and financial problems.

The researcher finds support on the data gathered on the Police Regional Office Cordillera Recapitulation of Administrative Cases Report of the Discipline, Law and Order Section as shown on the Graph below:



The Chart shows that from year 2018 up to 2020, a total of 143 Neglect of Duty Cases, 136 Misconduct cases, 7 Conduct Unbecoming of a Police Officer, 18 Irregularity in the Performance of Duty, 9 Dishonesty, 1 Incompetence, 1 Oppression Case. Clearly, the top 2





most commonly committed by PNP Uniformed Personnel are Neglect of Duty/Nonfeasance and Misconduct. Also, based from the same source, it can be gleaned that the most of the offenders possess the ranks of Patrolman/woman, Police Corporal and Police Staff Sergeant as shown:

From 2018 to 2020, a total of 48 Patrolmen/women, 49 Police Corporals, 85 Police Staff Sergeants, 29 Police Master Sergeants, 16 Police Senior Master Sergeants, 17 Police Chief Master Sergeants, 16 Police Executive Master Sergeants, 12 Police Lieutenant, 17 Police Captains, 25 Police Majors, 5 Police Lieutenant Colonels and 1 Colonel were administratively charged in the region.

The broken window theory states that any visible signs of crime and civil disorder, such as broken windows (hence, the name of the theory) create an urban environment that promotes even more crime and disorder. If a window is broken and left unrepaired, people walking by will conclude that no one cares and no one is in charge. (Kelling, G.L. & Wilson, J.Q.,1982). The results of this study shows that Misconduct and Neglect of Duty similar to that of a broken window have become rampant among Junior PNCOs. Wilson and Kelling's observation, like broken windows – are invitations to more serious infractions of the law. (Bondoc, J., 2004). The increase in the number of PNP personnel who have committed violations are a few as they were found to have probable cause as reported by the RIDMD. This is considered as an eyesore for the organization. Consequently, the increase in misdemeanor led to the intensification of the internal cleansing program (Maderazo, 2021).

2. Underlying Reasons for Filing Administrative Charges Against Junior PNCOs. The common themes of underlying reasons for filing administrative charges against Junior PNCOs are as follows: Probable cause had been established for failure to comply/follow orders; Personnel tend to challenge the authority; Negligence; Pride; and Involvement with financial problem/debt.

The basic assumption behind social learning theory is that the same learning process can produce both conforming and deviant or delinquent behavior. The central variable in social learning theory is differential association, or the influence of those with whom one associates frequently. Additionally, peers provide models of behavior to follow. (Chappell &



Piquero, 2004). Social Learning theory explains the misconduct, neglect of duty, conduct unbecoming committed by police officers in Cordillera are deviant or delinquent behavior learned from their same rank peers/colleagues. The Junior PNCOs see their peers commit these infractions and therefore adopt the behavior. However, according to Chappell and Piquero (2004), Akers had argued that individuals develop favorable or unfavorable definitions to deviance in interactions with their peers. These definitions are then reinforced, positively or negatively, by the rewards or punishments (either real or perceived) that follow their behavior. When the deviant behavior of an officer was not reported by his/her immediate supervisor, the action gets Positively reinforced thus the repetition of the delinquent behavior. However, when the misdemeanor has been subjected for Delinquency Report by the immediate supervisor the action gets Negatively reinforced thus the reduction of the delinquent behavior. Consequently, the intensification of the PNP Disciplinary Mechanism and Internal cleansing works as a Punishment System which aims to extinguish the behavior.

In the PNP service, any misconduct, neglect of duty, conduct unbecoming committed by a police officer are subjected to pre-charge evaluation, and if there found to be a probable cause to believe that said offense indeed transpired and the respondent police officer is probable guilty thereof, the respondent will be subjected to summary hearing proceeding. This will discipline a police officer to prevent worst things to happen and also to serve as a deterrent to other police officers. The PNP Disciplinary Mechanism serves as the reward or punishment mechanism of the Police Service. It runs and expedites the resolution of administrative cases involving both the uniformed and non-uniformed personnel. (Robredo, J., 2011).

The PNP Organization continuously aims for a highly capable, effective and credible police service (PNP, 2021). Therefore, keeping the PNP Disciplinary Mechanism a working tool is necessary in order to uphold the organization's aim. Keeping Police Regional Office Cordillera as the Home of the Most disciplined Cops is the ultimate aim of reducing the number of erring personnel within the region.



CONCLUSION

From the data given by the different personnel of Discipline, Law and Order Section Personnel in the different Police Provincial Offices and City Police Office, the Pre-Charge Evaluation/Investigation Section Personnel of the Region specifically Baguio City Police Office and Benguet Provincial Office, erring personnel are prone to commit misconduct and neglect of duty. From the profile of the respondents, it appears that most offenders are Junior Police Non-commissioned Officers or with the ranks of Patrolmen/women, Police Corporals and Police Staff Sergeants. Survey also revealed that the common reasons of committing infractions are: failure to comply lawful orders, psychological/behavioral problems, family issues and financial problems. Further, the underlying reasons for filing administrative case against the erring personnel are recurrent failure to comply to rules and regulations, conduct unbecoming/misdemeanor of an officer, and involvement in financial problem/debt.

The findings gained from this study may be useful in crafting a reformative program designed to equip the Police Officers with the ranks from Patrolman/woman to Police Staff Sergeant with the proper demeanor required of a public servant. Proper training in the early years in the PNP to prevent further misdemeanor to happen as the PNP personnel gets promoted to higher ranks. In addition, as early as the introduction of Public Safety Basic Recruit Course, or cadetship in the Philippine National Police Academy, emphasis should be given to the appropriate discipline required in the performance of their duties and responsibilities as public safety officers, not only to prepare the PNP recruits in having the knowledge and skills set for an officer but also to hone their moral and behavioral readiness as they undertake their policing roles. Another is that, the Directorate for Learning and Doctrine Development (DHRDD) may come up with a continuous training or seminar on PNP Ethical Standards, to constantly remind the PNP Personnel on the proper decorum of a Police Officer.

Aftercare program must be strictly implemented. The PNP has already the “Focused Reformation/Reorientation and Moral Enhancement (F.O.R.M.E.) for Police Officer” being implemented by Directorate for Human Resource and Doctrine Development in the National Level or the Regional Learning and Doctrine Development Division (RLDDD) in the Regional



Offices for police personnel with resolved administrative cases who were still active in the police service. It is a more effective retraining program to correct misdemeanors and other less prohibited acts committed by errant police personnel, it is not a punishment but a restorative approach at internal cleansing through a continuing retraining program. Another is that greater emphasis on the Delinquency Report (DR) System has to be reiterated and practiced by the different Chiefs of Offices as a constant reminder of the discipline that police officers have to maintain.

REFERENCES:

- Bondoc, J. (2004), Broken Windows theory of law enforcement, Opinion, Philippine Star;
- Chappell, A.T & Piquero. A.R., (2004), Applying Social Learning Theory to Police Misconduct, University of Florida, Gainesville, Florida, USA
- Police Regional Office Cordillera's Discipline, Law and Order Section Master Table form Calendar Year 2018 to 2020;
- Human Resource and Doctrine Development Manual (PNP), September 2014;
- Jit, R., Bharti, A.; and P. V. Rajeev, P.V. (2020), Servant Leadership and Organizational Discipline: A Qualitative Study
- Kelling, G.L. & Wilson, J.Q., (1982) Broken Windows, The Police and Neighborhood Safety, The Atlantic
- Maderazo, J.J. (2021), New PNP chief: Remove erring cops, bust wrongdoings; Inquirer.Net
- NAPOLCOM Memorandum Circular 2016-002 Revised Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police;
- PNP Philippine National Police Portal, 2021. PNP PATROL PLAN 2030. Retrieved on: December 1, 2021 from <https://pnp.gov.ph/pnp-patrol-plan-2030>;
- PNP Pre-Charge Evaluation and Summary Hearing Guide (PNP Disciplinary Mechanism) 2011;
- PRO Cordillera Recapitulation of Administrative Cases (2018 to 2020)
- Republic Act No. 8551 – Act Providing for the Reform and Reorganization of the Philippine National Police and for other Purposes, Amending Certain Provisions of Republic Act



Numbered Sixty-Nine Hundred and Seventy-Five Entitled, “An Act Establishing the Philippine National Police Under a Re-Organized Department of the Interior and Local Government, and for Other Purposes”

Robredo, J., 2011, In his message to the personnel of the Philippine National Police;