



RESEARCH ARTICLE

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**Human Rights and the Law Enforcement in the Criminal Justice System: A case study
of the City of San Jose Del Monte, Bulacan, Philippines**

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Abstract

Policing and the criminal justice system would only encourage the public's trust once dignity and equality are upheld in protecting and serving the community. This study aims to reveal how police conform to the Human Rights Law, specific freedom from cruel, inhumane, and degrading punishment or treatment to formulate a more Intensified Prevention Plan (IPP) based on the evidence. A qualitative study approach has been adopted, and interviews were conducted among seven (7) participants from the San Jose del Monte Police Station. The results show that the protection of all individuals was based on the guiding principles mandated in the 1987 Philippine Constitution and the Anti-Torture Act of 2009, which were valid methods of proving the existence of general law principles. The public apathy and advertisement of exaggerated information among Police officers implicate a negative impact on the whole organization in the exercise of protecting the rights of all individuals. Recognizing the innovative approach to exercising their sworn duties and responsibilities among the community and giving them a simple value of appreciation for their good deeds are already countless gratitude in every heart of all uniformed personnel of the Philippine National Police.

Keywords: Abuse; Criminal Justice System; Law Enforcement; Human Rights; Police officers

INTRODUCTION

Amnesty International organization's global human rights advocates emphasize policing-related issues in law enforcement, particularly the police, while implementing their actions aligned with human rights (Moore & Dawes, 2022). The work of the police reached the center of gradually more focused attention by human rights advocates, which view the endeavor as conforming human rights of those that experience the influence of police officers on responding and dealing with the people. Nevertheless, the duties and responsibilities performed by Police officers is a multifaceted matter and adopting every situation which is only exclusive of a satisfactory level of awareness and understanding of the risk in the lives of the police in the performance of their duty, both to the credibility of the suspect and the work efficiency, public safety of the people on those whose rights are seeking for their protection and service. Collantes-Celador and Schwandner-Sievers (2019) state that the reformation and transformation of all police officers should be in with all the laws of upholding the rights of all individuals is a significant element and mechanisms and results for a positive effort. Considering all the factors of ensuring the protection of all rights of an individual, regardless of their profile and status, must be treated with respect, dignity, and proper way at all times.



The massive extra-judicial killings and disappearances of individuals who are persons of interest in violating human rights in the Philippines catch the attention of all human rights advocates all over the globe. Concerning the pressure of human rights challenges and issues, the Philippines experienced all aspects of political, social, economic, and cultural discouraging conditions. The government in all nations has a lot of means to provide all ways to provide solutions on all problems and issues on all human rights violations. Nevertheless, it depends on the desire and eagerness of the government.

As police officers, it is their task to implement the law and exercise their sworn duties and responsibilities to protect and serve the public. Brinks (2007) is concerned over the human rights defenders and advocates, specifically the suspect, usually cross with the duties of the police officers, making the point that the blame relies on the hand of all police officers. However, human rights defenders always look for any point that police officers are interfering with rather than facilitating. In some incidents, human rights defenders draw attention to police officers in adverse situations and difficulties and act as mediators among the citizens whose human rights they are looking for is to help and secure the dignity of the police officers.

White and Weisburd (2018) stated that police officers in their work field often encounter issues, challenges, and difficulties in solving any crisis. The level of their security among the public depends on how they are also put under force to intensify and strengthen their work because they are constantly being criticized for their service. In circumstances that the leniency is implemented in the exercise of police discretion, it is the public that critic the poor performance of the police officer; on the other hand, in the instance that the police officer is strictly implementing the laws, it is also the public that will state that the police officers are abusing the authority. Police officers must determine where to place themselves to gain people's satisfaction with their performance. The media's widespread influence on national television and radio, including social media, gives exaggerated news and information that would result in the negative side of police officers (Lipsky, 2010).

Moreover, the concern of the public will give an idea to the administration of the police organization to formulate and develop new approaches and innovative methods in performing their duties and responsibilities, such as intensified training after admission to the organization, updated seminars applicable for the professional conduct and human rights, strategical method of community approach, humane community policing and emerging strategies of traditional and technological ways of enforcing the law. The use of information technology in the police organization will pave the way to making up-to-date strategies for coping with issues and difficulties in their duty (Chan, 2001). Therefore, this study aims to investigate how police conform to human rights law, specific freedom from cruel, inhumane, and degrading punishment or treatment to formulate a more intensified Prevention Plan (IPP) based on the evidence. The study has the following questions;



1. What are the experiences of the Persons under Philippine National Police Custody in the City of San Jose del Monte, Bulacan, Philippines?
2. What are the practical guides of the police officers of the San Jose del Monte City Police Station Office to conform to the law of human rights?

LITERATURE REVIEW

Policing and the criminal justice system would only encourage the public's trust once dignity and equality are upheld in protecting and serving the community. Over the last few years, the massive extra-judicial killings and disappearances of individuals who are persons of interest in violating human rights in the Philippines have caught the attention of all human rights advocates all over the globe. Dammert et al. (2021) determined various contributing factors to the public trust in police officers in Latin America. The study found that the value of justice-involved on the right, equal and just treatment, protection of human rights against any forms of abuse and discrimination, and the awareness that the police represent society. Martin (2022) stated that the bond between the strong-arm government and the individual is at the foundation of the human rights concept. Every human being serves as a form of a coherent representative whose sovereignty, independence, pride, and abilities base essential benefits examined, improved and safeguarded through legal entitlement, which gives rise to duties of leniency and protection by the state. In implementing duties, the value, morals, conduct and ethics of a police officer should always be shown to the community. The services of the police officers, such as crime prevention, suppression and ensuring public safety, must be prioritized for the value of human rights.

Quismorio and Recuenco (2021) quoted the former Chief of the Philippine National Police, who claimed and called the victory of the entire organization on the Trust Rating and Approval Rating of the Philippine National Police, which arises from 22nd in the ranking after six (6) month rises on seventh ranking. The number depicts the remarkable efforts of all police officers in all their life-risking duties. According to Gau and Paoline (2020), improve and making way for improving police sector should actively participate, and involvement in the communities could be hindered, provided that the police officers themselves reflect that police officers always give the community a fair, equal and without any means of bias or discrimination. Schultz (2019) stated that "freedom of speech" by the media is always an issue when the negative behaviours of police officers are discussed in the media. However, not all police officers are attributed to the harmful deeds of other organization members. The media can significantly influence the public, good or bad, depending on the news report they will air. Some stations of the newscasting claim that the media or press reports some stories have provided evidence that they are wrong and use exaggerated details or pieces of information, which will cause negative public feedback among police officers. Police officers are in a spot to set restrictions and boundaries for the people. Preferably individuals that were persons of interest or offenders. The provision of limits and boundaries should only be made depending on the offender's action, and it is



necessary to apply them (Brinks, 2007). The concern of the public will give an idea to the administration of the police organization to formulate and develop new approaches and innovative methods in performing their duties and responsibilities, such as intensified training after admission to the organization, updated seminars applicable for the professional conduct and human rights, strategical method of community approach, humane community policing and emerging strategies of traditional and technological ways of enforcing the law.

RESEARCH DESIGN AND METHODOLOGY

Ethical Statement

Ethical approval was required, and before conducting an interview with the Persons under Philippine National Police Custody, written consent of ethical approval was obtained from the adviser/school and the Chief of Police (COP) of San Jose del Monte City Police Station. The unstructured interview of the participants was conducted in a physical set-up (Face-to-face). Both parties strictly observed health protocols during the conduct of the interview. The participants allowed the research documentation, such as photo, audio, and video recording, by affixing their signature on the letter of consent the researcher gave. In addition, all information gathered during the interview was put into notes-taking for reference purposes. The involvement of all seven (7) participants in the research study was given with their free submission, voluntarily and without any forms of payments, fees, rewards or in return for the favor. The researcher translated the consent letter into vernacular words (Tagalog) to clearly and easily understand. Informing the participants' right to withdraw and refuse photos/audio/video recordings were highlighted. The confidentiality of all the information provided by the participants was highly noted.

Research Design

The study's researcher used a qualitative type which utilizes the Case Study method. This case study applies methods of conducting interviews with the participants and analyzing the instruments used. These are the primary and secondary sources to obtain pieces of information and data for the result and findings of the study that aims to measure the seven (7) Persons under Philippine National Police Custody experiences from the Police Officers assigned at the San Jose del Monte City Police Station Office and the practical guides of the Police Officers of San Jose del Monte City Police Station Office on conforming and following the law of Human Rights.

Treatment of Data

The researcher employed a thematic analysis in this study, gathering information and answers from seven (7) participants. The demographic profile of the participants in this study revealed that there were a total of seven (7) male individuals. Notably, all of these participants were currently unemployed



during the study. In terms of their ages, a range of different age groups was represented within the sample. The ages of the participants were as follows: 23, 30, 32, 30, 40, 59, and 32. These varying ages provide a diverse perspective on the research topic, encompassing different stages of life and potential variations in experiences. All questions asked to the participants were related to the study and provided statements based on their perspectives and personal views.

RESULTS AND DISCUSSIONS

Seven (7) Persons under Philippine National Police Custody volunteered for the interview; all are male and have an average age of 30, and most were involved in robbery/theft and snitch cases. All of them have more than one year in lock-up jail. The results and discussions were themed and distributed into two (2) sections whereas follows:

Theme: Experiences of the participants in the custody of the Police Officers

It shows the experiences of the participants in the custody of the police in the San Jose del Monte City Police Office. It showed that the most common experiences of the participants expressed that the police officers of the San Jose del Monte City Police Station Office were oriented towards practical community policing, showing respect and acting with fairness, good listening, equal treatment and a good relationship with the San Joseños. Some direct quotes from the interview

Persons under PNP Custody 1 : "We have developed some good relationships with the police here as they treat us good and fairer." (33-year-old male participant)

Persons under PNP Custody 3 : "Though police have a bad impression overall, we are treated not badly in the judicial." (40-year-old male participant)

Persons under PNP Custody 4: "Initially, I thought I would be mistreated in lock-up jail. However, my experience in prison is good in terms of how police treated us, and they do not harm hares nor us or insult us; I found them fair and equal in treatment." (30-year-old male participant) *Persons under PNP Custody 7: "So far, I am never mistreated in lock-up jail, and the police are fair." (23-year-old male participant)*

Results revealed that all the participants had a positive impression and feedback from the police officers. It is good to note that the participants trust the police officers and experience fair treatment even though they belong to the lower class of society. It could be inferred from the results that the police officers were also extending referrals to the Public Employment Service Office (PESO) to find a job and community extension programs in their barangay, which impacted the participants' hearts, including their families. The PNP Barangayanihan of the San Jose del Monte Police City Station Office changes the community's mindset from the public's negative apathy to the police which is abiding the PNP Core Values "*makaDiyos, makabayan, makatao, and makakalikasan*".



Theme: Practical guide for police officers to conform to the law of Human Rights

Persons under PNP Custody 3: "Police taking care of the morals and values of the prisoner and do not violate the human rights code of conduct". (40-year-old male participant)

Persons under PNP Custody 4: "Police care about our moral values and the human rights of the Persons under Philippine National Police Custody." (30-year-old male participant)

Persons under PNP Custody 6: "My views were changed in the lock-up jail when police cared for us and did not violate human rights." (59-year-old male participant)

The interview can be concluded as the practical guide of the police officers assigned to the City of San Jose del Monte City Police Station Office to conform to the Human Rights law. The practical guides to conform to the law of Human Rights, such as the values and conduct of all Police officers anchored on the Philippine National Police Code of Ethics. The wise use of one's judgment in terms of leniency and intensified implementation of the law or the Police Discretion, community-related programs that will build a harmonious relationship between the police and the community that would assist individual police officers in being consistent with their good standing in the society at City of San Jose del Monte, Bulacan Philippines.

DISCUSSION

A qualitative face-to-face interview study of seven (7) male Persons under Philippine National Police Custody was conducted after receiving approval from the Chief of Police. The study evaluated the participant's opinions and experiences in the lock-up jail at San Jose del Monte City Police Station. The study comprises two main questions; therefore, the study mainly focused on the questions during the interview, and themes were established from the participant's answers. All of them stated they had a good experience in lock-up jail in terms of the treatment received from the police, they do not violate the human rights rules, and they treat us equally and fairer. In the follow-up question, respondents stated that they all agreed they found police practical in following human rules in the lock-up jail and taking care of the Persons under Philippine National Police Custody values and human rights regulations, and the fairness of their treatment by the police.

Remarkably, all the participants expressed positive experiences in lock-up jail, particularly highlighting the treatment they received from the police. According to their accounts, the police officers demonstrated a commendable commitment to upholding human rights rules. The Persons under Philippine National Police Custody reported that they were treated equally and fairly, which contributed to their overall satisfaction with their time in lock-up jail.

To further probe the Persons under Philippine National Police Custody's perceptions, a follow-up question was posed. In response, all the participants unanimously agreed that the police officers were practical in adhering to the established human rules within the lock-up jail environment. Additionally,



they acknowledged the efforts made by the police to take care of the Persons under the Philippine National Police Custody's values, indicating a sense of responsibility and duty displayed by the law enforcement officials.

This qualitative study gained valuable insights regarding the experiences and opinions of male Persons under Philippine National Police Custody. The findings suggest a positive assessment of the treatment received by the Persons under Philippine National Police Custody and the police officers' commitment to maintaining human rights standards within the lock-up jail.

CONCLUSIONS AND RECOMMENDATION POLICY

Based on the interview theme and response, the following conclusions were derived: The study concluded that the intensified efforts of the Police Officers at the San Jose del Monte City Police Station Office regain the public's trust and confidence in the community, where Persons under Philippine National Police Custody are treated equal and fairer and do not use inhuman tactic on them—linking the broader community in the City of San Jose del Monte, Bulacan in the formulation of innovative techniques, methods, and strategies for achieving community satisfaction. The San Jose del Monte City Police Station Office is transparent in implementing policies and considers fair treatment and biased-free. Despite their profile, all citizens were treated with dignity and respect for their rights. The concern for the community's welfare was given to the best the police officers can achieve and the willingness to help the community of San Jose 24/7. This study was limited to a small number of interviews. A large sample of data would help to answer insight; also, the prisoner who was interviewed did not have a high level of offense, so further study suggested deepening the policing and highly offended criminals.

Ethical Statement: This study received written consent of ethical approval from the San Jose del Monte City Police Station, the Chief of Police, and the school advisory board. All participants were formally informed, and their consent was taken, which is confidential.

Consent to Participate: The author declared that they have no known competing financial interests or personal relationships which affect the work reported in this article. This study deals with human participants, and human data or human rights issues are discussed and evaluated.

Consent for Publication: We do not have any person's data in any form.

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throughout my journey to success.

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