



Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
NATIONAL HEADQUARTERS PHILIPPINE NATIONAL POLICE
OFFICE OF THE CHIEF, PNP
Camp Crame, Quezon City

JAN 01 2011

MEMORANDUM CIRCULAR
NUMBER 2011-001

SUBJECT: GUIDELINES ON THE PROVISIONAL UTILIZATION OF SOCIAL NETWORKING SITES IN SUPPORT TO THE PNP MISSION

1. REFERENCES:

- a. Legal Opinion of the PNP Legal Service re: the Utilization of "Facebook" and other Social Networking sites dated October 4, 2010;
- b. PNP LOI 03/09 "Spider Web";
- c. Assessment Report of SIMD, DICTM re: Utilization of Social Networking sites in support to the PNP Mission;
- d. Activation of DICTM pursuant to NHQ-PNP General Orders Number DPL-09-08 dated April 1, 2009; and
- e. Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003).

2. PURPOSE:

This memorandum circular provides guidelines on the limited utilization of social networking site in support to the PNP mission, particularly in the anti-crime and public safety campaign.

3. SCOPE AND DELIMITATION:

- a. This memorandum circular applies to all the provincial and city police offices and police stations, to include Police Community Precincts (PCPs) nationwide.
- b. PNP members may be allowed to create personal accounts to these social networking sites, provided that no official information relating to the PNP shall be posted.

4. DEFINITION OF TERMS:

- a. Social Network – is a social structure made up of nodes that are generally individuals or organizations. A social network represents relationships and flows between people, groups, organizations, animals, computers or other information/knowledge processing entities.
- b. Social Networking Service – is an online service, platform, or site that focuses on building and reflecting of social networks or social relations among people, e.g., who share interests and/or activities.

c. Social Networking Site – is a site in the World Wide Web (or simply, web) that provides a social networking service that allows users to share ideas, activities, events, and interests within their individual networks. Today's most popular social networking sites are "Facebook", "Twitter", "Bebo", "MySpace" and "LinkedIn".

d. Web – a short name for the World Wide Web (WWW). It is a system of interlinked hypertext documents accessed via the Internet. With a web browser, one can view documents or web pages that may contain text, images, videos, and other multimedia and navigate between them by using hyperlinks.

e. Internet - Is a global system of interconnected computers that serve billions of users worldwide. It is a network of networks that consists of millions of private, public, academic, business, and government networks, ranging from local to global scope.

5. POLICIES:

a. Pursuant to NHQ-PNP General Orders Number DPL 09-08 dated April 1, 2009, DICTM is primarily mandated to assist the Chief, PNP in policy formulation and managing information, electronics and communications technology resources to promote, develop, and regulate integrated and strategic ICT systems, and reliable and efficient communications infrastructure including the inter-operability, integration, standardization, acquisition, utilization, development, and maintenance of all ICT assets in support to the PNP mission.

b. Inherent to this mandate is the function of DICTM to ensure that all units of the PNP adhere to a uniform standard in the utilization of ICT resources, particularly the use of social networking site in promoting a PNP unit or station to its intended clientele, providing information about missing persons, suspects, and wanted persons, and soliciting information from the public.

c. In addition, the PNP Letter of Instruction 03/09 (Spider Web) requires that all PNP units, from NHQ down to police stations shall create, develop, administer and maintain an official WEBSITE following the standard convention of domain names to provide current updates of information and services to the public and to the PNP personnel.

d. Since some units of the PNP, particularly the police stations cannot immediately comply with this requirement due to budgetary constraints, some of them resorted to utilize social networking sites to establish police-community partnership in the Internet.

e. Generally, the use of these social networking sites may provide some benefits to the PNP but its long term use may have some negative setbacks. It is therefore reasonable to temporarily allow the use by police stations/offices of "Facebook" and other social networking sites pending full compliance in the creation, development, administration and maintenance of an official WEBSITE in accordance with LOI 03/09 (Spider Web), subject to certain restrictions.

f. As soon as the aforementioned WEBSITE is made operational or an appropriate directive is issued, whichever comes first, the use of these social networking sites shall be terminated permanently.

6. GUIDELINES:

a. In the absence of fully interactive and dynamic website, all units of the PNP may be allowed to temporarily utilize the social network site for purposes that would support the accomplishment of the PNP mission, subject to the following restrictions:

1) Strictly, no CLASSIFIED information shall be posted on the social networking site.

2) In particular, the unit/station shall only post or publish information for the purpose of effectively establishing and promoting police-community partnership in support to the anti-criminality and public safety campaign of the police, such as:

a) Public Information

a.1) Dissemination of information that would assist the public in relating to their police station and other useful police advisories, such as:

a.1.1) Introduction of local police station (Officials, organization, location, hotline numbers, etc.);

a.1.2) Traffic Advisories;

a.1.3) Announcement on Processing Procedures on PNP services; and

a.1.4) Information about ongoing PNP projects and activities.

a.2) Providing the public information on how to avoid becoming victims of crimes and assist the police in crime prevention and control, such as:

a.2.1) Video on criminal "modus operandi";

a.2.2) Crime prevention tips in English and Pilipino; and

a.2.3) Other similar information.

a.3) Posting of pictures and names of local Most Wanted Persons (MWP) with Warrants of Arrest (WOA) only, subject to legal restrictions provided by the Constitution and existing laws.

a.4) Drumming up support for current police advocacy campaign not only concerning crimes and public safety but other fields like environment, GAD, etc.

a.5) Prompt reply being provided to complaints and queries posted by the users.

b) Citizen's Feedback, Comments, Complaints and Reports

b.1) Complaints/Reports

b.1.1) Public Safety concerns; and

b.1.2) Concerns on Crimes

b.2) Comments and Suggestions

b.3) People's feedback

3) To avoid negative legal implications, the following restrictions should be observed in posting of names and/or pictures of persons so as not to violate their rights under the Constitution and existing laws:

a) Persons with Warrants of Arrest:

a.1) The authority to post "Wanted Persons" on the Net must be lodged, centralized, or supervised by a dedicated personnel in the PNP office/station for assessment and monitoring;

a.2) Only a fair and true report, made in good faith and without any comments or remarks will be posted on the Net. Thus, only when the office/station is holding the original copy of the Warrant of Arrest, Commitment Order, or Order of Arrest and Recommitment or the duly authenticated copy thereof will such office/station make an entry in the Wanted Persons File;

a.3) Said Order of Arrest (in Adobe Acrobat File) should be made available on the Net for viewing, downloading, or copying purposes; and

a.4) Necessary information as to the identity of the wanted person and where a user may request for a copy of the subject's record should be made available on the Net. A caution indicator should be added only when the PNP has evidence to that effect.

b) For Missing Persons:

b.1) The authority to post "Missing Persons" on the Net must be lodged, centralized, or supervised by a dedicated personnel in the PNP office/station for assessment and monitoring; and

b.2) Only upon a formal request is granted should a Missing Person be posted on the Net.

c) For Minors:

c.1) *"All proceedings and records involving children in conflict with the law from initial contact until final disposition of the case by the court shall be considered privileged and confidential"* (SC Admin Order No. 02-1-18 "Revised Rule on Children in Conflict with the Law"). Based on this provision, posting on the net of the names and identity of minors in conflict with the law is strictly prohibited.

d) For Other persons:

d.1) Section 7 of R.A. No. 9208 or the "Anti-Trafficking in Persons Act of 2003, states that *"At any stage of the investigation, prosecution and trial of an offense under R.A. No. 9208, law enforcement officers, prosecutors, judges, court personnel and medical practitioners, as well as parties to the case, shall recognize the right to privacy of the trafficked person and the accused."* Based on this provision, the name and personal circumstances of the trafficked person or of the accused, or any other information shall not be disclosed to the public.

4) The unit or station is strictly required to designate operators to guard, filter and delete obscene and unwanted information on the site.

5) Ensure presentability of the PNP personnel and its offices, establishments and facilities through the observance of "Tamang Bihis" and cleanliness/ orderliness of police premises in posting photos to the site; and

6) Ensure diligence in posting comments or reply consistent with utmost courtesy and good manners and right conduct.

7) If the social network site of the unit or station allows unrestricted posting of information from the public, there must be a *Disclaimer* that explicitly tells the public that all information from the public are not to be considered as PNP's and warn the public that these information will be removed immediately at the discretion of the unit/station once found to contain any of the following:

- a) Malicious request for police assistance/response;
- b) Posting of prohibited information such as pornographic/obscene materials and videos; and
- c) Posting of misleading information or those that will obstruct ongoing police investigation.

8) Specifically, the Disclaimer and Warning as suggested by the PNP Legal Service shall read as follows:

-- Disclaimer --

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-- Warning --

The public is hereby informed that the PNP placed content-controls and filters to prevent inappropriate use of this account. Thus, any information or material offensive to the purpose for which this account has been created will be removed and violators will be prosecuted in accordance with existing applicable laws.

9) The use of social networking sites shall be terminated as soon as the required police website becomes fully operational or upon issuance of a corresponding directive from the C, PNP.

7. PENALTIES:

Any PNP member who shall be found violating any provision of this Memorandum Circular shall be held administratively liable for "Neglect of Duty" or "Misconduct" or both, whichever is applicable, and penalized accordingly.

8. RESCISSION:


All PNP policies, directives and other issuances which are inconsistent with the provisions of this Memo Circular are hereby deemed rescinded or modified accordingly.

9. EFFECTIVITY:

This Memo Circular shall take effect fifteen (15) days from the filing of a copy hereof at the University of the Philippines Law Center in consonance with Sections 3 and 4 of Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revised Administrative Code of 1987", as amended.



[Handwritten Signature]
ATTY RAUL M BACALZO, Ph.D.
Police Director General
Chief, PNP

CPNP Ltr '10 5042175

5042175

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