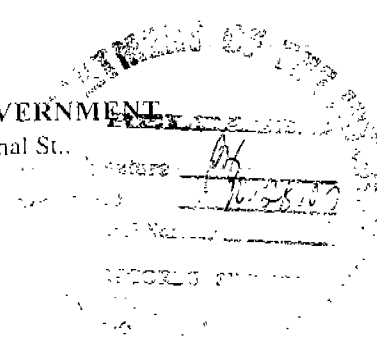




REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

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Diliman, Quezon City

OFFICE OF THE SECRETARY



MEMORANDUM CIRCULAR
NO. 2003-211

TO : ALL PROVINCIAL GOVERNORS, CITY MAYORS, MUNICIPAL MAYORS, PUNONG BARANGAYS, PDEA DIRECTOR GENERAL, PDEA REGIONAL DIRECTORS, CHIEF OF THE PNP, PNP REGIONAL DIRECTORS, DISTRICT, PROVINCIAL, CITY DIRECTORS AND CHIEFS OF POLICE, DILG REGIONAL DIRECTORS, PROVINCIAL, CITY DIRECTORS AND MUNICIPAL LOCAL GOVERNMENT OPERATIONS OFFICERS, AND OTHERS CONCERNED

SUBJECT : CLEARING OF DRUG-AFFECTED BARANGAYS

DATE : 27 October 2003

I. PREFATORY STATEMENT

In her State of the Nation Address (SONA) delivered last July 28, 2003, Her Excellency, President GLORIA MACAPAGAL-ARROYO renewed her commitment to sustain the intensified campaign against illegal drugs when she declared, "*Dadalhin ko ang labang ito sa bawat lalawigan at lungsod nanggang umabot sa mga barangay*".

Pursuant to the pronouncement of the President, there is an urgent need to intensify the campaign against illegal drugs, especially the conduct of clearing operations in drug-affected barangays. Towards this end, the following guidelines are hereby prescribed for the effective clearing operations in drug-affected barangays.

II. GUIDELINES

The process of clearing drug-affected barangays involves a series of activities, to be undertaken in phases, by the Anti-Drug Abuse Committees at the provincial, city, municipal and barangay government levels (PADACs/CADACs/MADACs/BADACs), the Philippine Drug Enforcement Agency (PDEA) and the Philippine National Police (PNP).

A. *Preparation Phase*

During this phase, the DILG, PDEA, PNP, and the concerned local government unit shall implement activities necessary to lay the groundwork for an effective barangay clearing operations. The activities that may be undertaken in this phase shall include, but not limited to, the following:

1. Organization of the Barangay Anti-Drug Abuse Committee (BADAC) pursuant to DILG Memorandum Circular 98-227 as amended by DILG Memorandum Circular Nos. 99-236 and 2000-127;
2. Enhancement of the capabilities of concerned BADACs and the law enforcement units to enable them to efficiently and effectively respond to the tasks of making their barangays drug-free;
3. Organization of house clusters, streets, villages, puroks, and sitios, as well as sectoral organizations, to assist the BADACs in monitoring illegal drug activities in the barangay and in clearing operations;
4. Identification of drug-affected house clusters, workplaces, streets, puroks, and sitios;
5. Classification of drug-affected areas into seriously-affected or less seriously-affected, and identification of drug personalities as subjects of police action or applicable approaches or strategies;
6. Determination of priority drug-affected areas and personalities for clearing operations;
7. Conduct of social investigation and information gathering to collect and analyze information, such as names of suspected drug users and pushers, modus operandi, location of clandestine laboratories and marijuana plantation sites, drug-related crimes, and other drug-related data;
8. Cleansing of the concerned local government unit and law enforcement units tasked with barangay clearing operations, through legal means and subject to existing rules and regulations;
9. Enactment of city or municipal ordinances creating Administrative Boards to hear and act on complaints regarding public nuisances pursuant to the Section 52, Article VII of Republic Act 9165;
10. Establishment of "one-stop" processing desks for the rehabilitation of drug dependents by the CADACs and MADACs; and

11. Designation by the Executive Director of the Dangerous Drugs Board (DDB) of authorized representatives to process petitions for voluntary rehabilitation pursuant to DDB Resolution No.2, Series of 2002.

3. Clearing Phase

During this phase, the BADACs and the law enforcement units concerned shall implement the following activities:

1. Administrative searches of suspected drug dens, clandestine laboratories and chemical warehouse in coordination with City or Municipal Regulatory Officers;
2. Arrest of drug pushers through "citizen's arrest", buy-bust operations, and service of Search Warrants and Warrants of Arrest;
3. Filing of complaints of public nuisances with the City/Municipal Administrative Boards against places or premises used as sites of unlawful sale or delivery of dangerous drugs pursuant to Section 52, Article VII of Republic Act 9165;
4. Counseling of drug experimenters and casual users to inform them of the ill effects of dangerous drugs and the consequences of drug use; and
5. Processing of referrals for voluntary rehabilitation of drug dependents.

C. Empowerment Phase

During this phase, the DILG, PADACs/CADACs/MADACs/BADACs, DDB, PDEA, and PNP offices concerned shall cooperate to empower the barangays to become self-policing communities. The activities that may be undertaken in this phase shall include, but not limited to, the following:

1. Mobilization of house cluster, street, village, purok, and sitio, as well as sectoral organizations to maintain the drug-free status of the barangay; and
2. Implementation of support activities such as livelihood, sports, religious, and social activities in coordination with non-government and civic organizations.

III. PARAMETERS FOR DECLARING A BARANGAY DRUG-FREE

After the clearing of the drug-affected barangays, the BADACs concerned shall issue a certification declaring said barangays drug-free. These certificates shall be confirmed by the concerned CADACs/MADACs, Parish Priests, School Principals, Chiefs of Police and PDEA representatives.

The following parameters shall be used as basis in the declaring barangays drug-free:

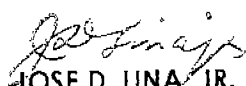
- A. Absence of drug users
- B. Absence of drug pushers
- C. Absence of drug laboratories and chemical warehouses
- D. Absence of marijuana cultivation sites
- E. Existence of a barangay organization to maintain the "drug-free" status of the barangay

IV. REPORTING


1. The Anti-Drug Abuse Committees at all levels, through the DILG field offices concerned, shall submit to the Secretary of the Interior and Local Government, thru the National Barangay Operations Office (NBOO), reports relative to the status of barangay clearing operations, including results of anti-illegal drug operations, starting November 15, 2003 and every 15th and 30th of the month, thereafter. The Bureau of Local Government Supervision (BLGS) in coordination with NBOO shall prepare monthly reports for submission to the Dangerous Drugs Board, copy furnished the PDEA and PNP for appropriate action as may be necessary.
2. The Chiefs of Police shall likewise render bi-monthly reports, including results of anti-illegal drug operations in the barangay, to the chain of command, copy furnished PDEA Regional Offices.

V. EFFECTIVITY

This Memorandum Circular takes effect immediately.


JOSE D. LINA, JR.
Secretary and OIC-Chairman,
Dangerous Drugs Board

Attested by:


ATTY. ALAN ROULLO YAP
Head Executive Assistant