Republic of the Philippines

NATIONAL POLICE COMMISSION

**NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE**

**HEADQUARTERS SUPPORT SERVICE**

Camp BGen Rafael T Crame, Quezon City

**PHILIPPINE NATIONAL POLICE** Admin Case No. **IID-HSS-ADM-**

Complainant  **Case No. 041820-24**

**-versus-** For**: Less Grave Neglect of Duty**

(Sleep on his post while performing Patrol or guard duty)

**Pat Jomarie D Ancheta**

Respondent

x-------------------------------------------x

**ANSWER**

**I, Pat Jomarie D Ancheta,** of legal age and bona fide member of the Philippine National Police (PNP), presently assigned at Escort and Honor Guard Section, Camp Security and Escort Unit Headquarters Support Service, (CSEU, HSS), located at Camp BGen Rafael T Crame, Quezon City, after having been duly sworn to an oath by the law do hereby state the following that:

1. On April 17, 2023, the undersigned received a Notice of Complaint from PLTCOL SEVERINO C LALUAN, JR., C, IID, informing me regarding the infraction I committed which was personally noticed by the aforementioned C, IID, through CCTV camera wherein the undersigned was caught sleeping on post while in the performance of duty as security sentinel at about 11:50 AM of March 30, 2024 at the Gate 2 Sentry of Camp BGen Rafael T Crame.
2. On May 10, 2024, I received a summon from PCAPT MATTHAN L LAGUD, Summary Hearing Officer directing me to submit my ANSWER to the complaint lodged against me for alleged violation under NMC 2016-002 within seven days upon receipt. Hence, this ANSWER.
3. Due to the absence of the complaint affidavit of the complainant, I’m filing this ANSWER based on the Pre-Charge Investigation Report dated April 24, 2024. Under the DISCUSSION, **in paragraph 4a**, the complainant alleged that I was caught sleeping while rendering duty through CCTV which I admitted but with a reason, maybe my reason has no bearing as I already admitted the same.
4. However, this infraction was not committed with intention, it so happened that I could not hold on to my tired and exhausted feelings due to preparation for the incoming NAPOLCOM GAME. Everyone knows that the PNP Basketball team seriously and religiously practices to avoid alibis of lack of practice when the game starts.
5. Likewise, I wanted the Team PNP to win the game because it would give us pride and the people would say, “Indeed, the Headquarters Support Service Administration gives time for its team to practice with all their beings”, it will also boost our emotions to play the game for the PNP.
6. Paragraph 4d quotes, “However, Pat Ancheta has no proof that he has a scheduled practice on March 30, 2024, in preparation for the NAPOLCOM GAME before assuming his, duty. In addition, the admission of guilt cannot absolve the subject PNCO or the said infraction, nor rectify what was improperly done. The requirement is plain and simple, follow what is being mandated in any law, rules, regulations or policies and avoid doing what is not allowed.” This statement is true but not absolute, in any law there is a so-called exemption to the exemption considering that under the law, the framers of the law intend to give favor to the labor when the law is vague or difficult. Likewise, when the evidence is of equal footing, the scale of the law must be tilted in favor of the accused.
7. In consideration of the drafter of the Investigation report, I put my hat down to admit my infraction, but as I have said, it was not done intentionally due to a tiresome day from reporting to the office to hectic practice for the NAPOLCOM Game to Night duty.
8. Likewise, to answer the allegation of the complainant, I already submitted the Certification issued and signed by PCOL LUCIO L SIMANGAN proving that I was directed to practice on March 30, 2024.
9. As it was stated, the intervention of an Officer must also be considered and the policies must be tilted a little bit in favor of the respondent.
10. The respondent humbly **PRAYED** that the mitigating circumstances as enunciated by *Sec. 4, Rule 22 of MC 2016-002* specifically on **(a) awards and commendations**, **(c) first offense**, and **(d) good faith** be considered in the determination of the penalties to be imposed upon the undersigned.
11. **WHEREFORE,** in the interest of justice, it is respectfully prayed unto the Honorable Office of HSS, IID that the instant complaint be decided accordingly in favor of the undersigned.

**IN WITNESS WHEREOF**, I have hereunto affixed my signature on this \_\_\_ of June 2024 at Camp Crame, Quezon City, Philippines.

**Further,** the respondent respectfully prays for such and other reliefs as may be deemed just and equitable under the premises.

**Pat Jomarie D Ancheta**

Respondent/Affiant

**ACKNOWLEDGMENT**

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_\_ day of June 2024, at Quezon City, Philippines, affiant exhibiting to me his PNP Identification Card with number\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ valid until\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I further certify that I have personally examined the affiant and I am convinced that he understood this Reply; and that he executed the same freely and voluntarily

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Notary Public**