

STUDY OF VICES AND ITS CONTROL

CONCEPT OF VICES

DEFINITION OF VICE

Vice is any immoral conduct or habit, the indulgence of which leads to depravity, wickedness and corruption of the minds and body.

THE DIFFERENT FORMS OF VICES

- a. Alcoholism
- b. Drug Addiction
- c. Prostitution
- d. Gambling

IMPORTANCE OF THE STUDY OF VICES

- a. The study of vices important because these crimes are ever present and persistent in all forms of society.
- b. It is important because vices affect the daily lives of more people than any other crime whether they are victim or offender.
- c. It is important because its evil effects are more disastrous morally any physically than any other crimes.
- d. It is important because organized and commercialized vices disrupt the social make-up of the community.
- e. It is important because the existence of vices in the community causes serious problem in law-enforcement.
- f. It is important because the younger members of the society are greatly affected by vice problems and its control prevents the growth of prospective criminals.

THE EXISTENCE OF VICES IN THE SOCIETY

The existence of vices in the society has been since time immemorial. It dates back from the early days of civilization and continued to exist through the middle ages and up to the present. Despite restrictions and prohibitions imposed by the leaders of the changing generation, vice has existed.

In every community in the world, big or small, there exists some form of vice which victimize the people. In the Philippines, vice exist in urban (cities) as well as in rural (provinces) communities. It is greater in the cities than in the towns.

THE SOCIAL PROBLEMS OF VICE

Vice present varied social problems affecting morality, health, economy, criminality and efficiency of the government. Drug addiction affects the health and morality of the youth while gambling and prostitution hampers the efficiency of the government with bribery doled out by maintainers as an instrument of corruption of government officials. Alcoholism breaks down the moral fiber of the society.

As a social problem therefore, vice control must be a coordinated effort of the following:

- a. The home, school, and the church must campaign for the eradication of vices in the society.
- b. The government and the police as an agency of control must embarked on a repressive measures against vice maintainers.
- c. The people must endeavor to achieve moral education and economic upliftment through their voluntary participation.

REASONS WHY THE POLICE MUST BE INTERESTED IN VICE PROBLEMS

a. It is a fact that vices cannot be totally eliminated but only at most controlled or regulated. Vices cater to the emotional lives of men. Its course, like the flow of water in a river cannot be stopped. It can only regulated; therefore, continued police action of sincere and honest law enforcement officers can only control the existence of vices.

b. Vices are connected with other forms of criminal activities. Criminals are important customers of vice dens. It is the best place for hiding from policemen, disposing off their loot (stolen properties), relief and recreation and planning future crimes.

c. Vice dens are often time the scene of frequent fights that disturbs the peace of the Community.

POLICE PROBLEMS IN VICE CONTROL

1. Clandestine nature of the commission of the acts.
2. Lack of cooperation from players, customers, and victims of vices,
3. Enjoyment of goodwill by vice operators
4. Public apathy and indifference
5. Unwilling government officials to work against vice existence

Clandestine nature of the commission of the acts –

Vice acts are always committed secretly and behind closed doors.

Organized prostitution are normally operated in big hotels and rented houses.

Gambling are done inside clubhouses while drug dens are located in small hidden rooms. In all cases, the place is guarded with look-outs or hired guards. The operators oftentimes employ gangsters for their protection.

Lack of cooperation from players, customers, and victims of vices –

The lack of cooperation among persons who could help the police in prosecuting vice operators is a severe handicap in enforcing vice laws. These gambling players, customers of prostitutes and victims of drug addiction or other vices who maybe utilized as witnesses of the police but refused to cooperate with law enforcer for fear of becoming involved in criminal charges or they have been given special favors and concessions by the vice operators whom they cooperate and support instead of the police.

Enjoyment of Goodwill by Vice Operators –

Vice operators enjoy goodwill either from the politicians who operates the government or influential businessmen who has indiscreet participation in vice profits. This goodwill was earned as a result of the past favors extended by the vice operators to the politicians during the election campaign or help to put up a business for the influential businessmen. This is an expression of Filipino “utang-na-loob” sentiments.

Public Apathy and Indifference –

Police control of vice is made difficult by the difference of opinion of the public as to the nature of regulations to be imposed. Some do not show interest in the prosecution of vices. Others believed that vices is a necessary evil and as long as vice does not affect him, he is not interested whether the same is controlled or not. Only citizens who have no monetary interest in vice and who are civic spirited are usually in favor of full control of vices.

Corruption makes government officials unwilling to work against the existence of vices. Operators of vice dens sometimes control the local politicians of a city or town. This is done by giving “kick-back” money to them or their wives or shares with them the large profit they received. Gifts of great value are sometime the vehicles of corruption.

ORGANIZED AND COMMERCIALIZED VICES

Commercialized vices are organized vice operations partaking the return of a legitimate business enterprise. Sometimes they branches out to legal undertaking or businesses as a front or cover-up to their illegal activities. They have complete personal for purposes of management supervisions, operation and even attending to their miscellaneous activities under the payroll of the organization. They have managers for administration various employees for routine duties, security guards (bouncers) for their continued protection, look-outs and informers to prevent police raids and arrests and even practicing lawyers for legal services in case of arrest. The headman or the operator normally is unidentified. Their businesses are interwooven with each other ranging from prostitution, drug traffic, gambling and sale of liquors to alcoholics catering to various farms of customers mostly criminals, pleasure seekers, addict, gamblers and alcoholics. Oftentimes their operation is known to some government officials and becomes the greatest headache of law enforcers.

LEGAL ASPECTS AND THE PROBLEM OF ALCOHOLISM

A. DEFINITION OF TERMS

1. Alcoholism – is the state or condition of a person produced by drinking intoxicating liquors excessively and with habitual frequency. (State vs. Savage, 89 Ala. 17 LBA 426, 7 South, Rep. 183). It is a condition wherein a person is under the influence or intoxicated with alcohol. His physical condition and behavior has been modified to a certain extent by the effects of alcohol.

2. Alcoholic Liquor – is any beverages or compound, whether distilled, fermented, or otherwise, which will produce intoxication or which contains in excess of one percentum of alcohol and is used as a beverage. (State vs. Oliver, 133 S.C. 125, 130 S.S. Rep. 213).

3. Drunkard – is a person who habitually takes or use any intoxicating alcoholic liquor and while under the influence of such, or in consequence of the effect thereof, is either dangerous to himself or to others, or is a cause of harm or serious annoyance to his family or his affair, or of ordinary proper conduct. He has lesser resistance to the effect of alcohol.

4. Chronic Alcoholics – person who, from the prolonged and excessive use alcoholic beverages, finally develops physical and psycho-changes and dependence to alcohol. The person consciously or unconsciously begins to demand on alcohol's narcotic effects for a “pick-up”, to sleep at night, to feel “good”, to cope with business or domestic problems, to enjoy social gatherings, to get away from oneself, to repress inner urges or rebellion or resentment, and to relieve distressing restlessness.

NOTE: This person develops physical and moral deterioration, difficulties with the law, loss of his job and family problems.

B. HISTORICAL USE OF ALCOHOL

The drinking of alcohol stimulants goes back to time immemorial. The commercial

use of wine is at least as early as the Code of Hammurabi of Babylonia (2380 BS). In the Philippines, the use of alcohol dates back even before the discovery of the island but no established facts could show the actual use of the same started.

C. THE CAUSES OF ALCOHOLISM

1. People drink alcohol beverages habitually as a food with their meals because they

think liquor increases their appetite and make the food taste better.

2. Some believes that drinking liquor gives them a lift because of soothing effect of alcohol.

3. Many believed that alcohol makes them feel sociable because it lowers their inhibitions allowing them to make unrestrained conversation.

4. The unnecessary prescription of alcoholic beverages as drug due to its depressant effects such as retardation of assimilation, reduction of circulation and decrease of respiration.

5. Alcohol provides an escape from the unpleasant realities of life.

6. By drinking, one deadens the pain of failures, anxieties, inferiorities, frustration and bolsters the battered ego.

7. In our complex society, the use of alcohol, is widely accepted as a glamorizing symbol of success and superiority.

8. Sociologists find the causes of drinking in culture group relationships and social processes. They are used for pleasurable purposes.

1. Psychiatrists explained that alcoholism is a release of repressed homosexuality (biniboy). This accounts for some drinking done by men with other men or by whom with other women.

2. And finally, physiologists say that alcoholism results from the excess or deficiency of certain endocrine secretions in the body.

D. DRUNKENNESS AS A CRIME

Most nations in the world have laws making drunkenness a criminal offense. In the Philippines, drunkenness in itself is not a crime because a person may drink to excess in the privacy of his home or in the gaiety of a party and commit no crime at all. It is only when the drunken person exhibits his condition publicly, or disturbs, endangers, or injured others that he becomes an offender and therefore, subject to arrest and punishment. Drunkenness, however, are considered misdemeanor punishable by existing ordinances of certain cities, towns and municipalities. In the City of Manila, the use of alcohol and other alcoholic beverages are regulated by ordinances as to TIME, PLACE, AND PERSON.

Regulations on Liquor as to Time

1. Section 679-d, Revised Ordinances of the City of Manila provides that the selling, giving away, or otherwise, disposal of any beverages or intoxicating liquors shall be prohibited during the hours of 2:00 to 5:00 o'clock in the morning everyday including Sundays and Holidays by bars, saloon, restaurants, and other drinking places, except when the selling, giving away, or otherwise disposal is done on a private dwelling.

2. Section 52, Republic Act No. 180 (Revised Election Code, as amended) Par. (2) provides "that it is unlawful to sell, furnished, offer, or take intoxicating liquors on any registration days and on the two days immediately preceding the day of the voting and during the voting and canvas".

Regulations on Liquor as to Place

1. Section 1, Ordinance 4153 of the City of Manila provides that “the serving of beer, liquor or alcoholic beverages of any kind to public by sari-sari stores or similar establishments is prohibited”.
2. Section 2, (same Ordinances) provides that “the drinking of beer, liquor, or alcoholic beverages of any kind in sari-sari stores or similar establishments not licenses as restaurant, panciteria, carindaria, hotel or bar, as well as in the street, by the sidewalk, in an alley, whether public or private, and in any park, or plazas is hereby prohibited”.
3. Section 679, par. (g), Revised Ordinances (City of Manila) provides that “no license shall be granted for the sale of intoxicating liquors in public markets, kiosks, booths, or stand situated in the public streets, or plazas, or to street vendors or peddlers, or in any case, to an establishment located within a radius of 200 meters from any institution of learning”.

NOTE: The ordinance apply only to those establishment to be opened in the future but not to those already existing before.

Regulations on Liquor as to Persons

1. section 821, Revised Ordinances, as amended by Ordinance No. 5052 (City of Manila) provides that “no person shall be drunk or intoxicated, or behave in a drunken, boisterous, rude, or indecent manner in any public place, or place, or place open to public view, or be drunk or intoxicated, or behave in a drunken, boisterous, rude or indecent manner in any place or premises to the annoyance of another person”.
2. Par. 4, Article 155, Revised Penal Code provides that “it shall be unlawful for any person who, while intoxicated xxxxxx cause any disturbance or scandal in public places Xxx”.
3. Par. (a), Section 838, Revised Ordinances (City of Manila) provides that “the sale, giving away, or otherwise disposing of any intoxicating liquors to any minor under eighteen (18) years of age or any person in an intoxicated condition is prohibited xxxxx except when the minor buys the liquor for some other person and not for their own use”.
4. Par. (c), provides that “it shall be unlawful for any person under twenty one (21) years of age to drink alcoholic beverages and intoxicating liquors in any saloon, bar, inn, restaurant, café, or drinking places or any public places”.

E. THE LEGAL CONCEPT OF INTOXICATION AND CRIMINAL LIABILITY

The Revised Penal Code of the Philippine (Art. 15) provides that intoxication is an

alternative circumstance whenever present in the commission of crimes. An alternative circumstance is one which must be taken into consideration as either MITIGATING (Art. 13, RPC) or AGGRAVATING (Art. 14, RPC) according to the nature and effects of the crime and their other conditions attending its commission.

In order that intoxication maybe considered as a mitigating circumstance, two elements are necessary to be present:

- a. First, that intoxication not be habitual, that is, that the person who commits the offense in an intoxicated condition has become drunk by accident and not be habit or custom. In the absence of proof to the contrary, drunkenness will be presumed not to be habitual.
- b. Second, that the intoxication be not planted before the commission of crime, because if the perpetrator deliberately seeks in alcohol the necessary courage to execute the crime, or a means with which to suffocate any remorse, or as a mitigation for his offense, then his intoxication would

constitute a premeditation and cannot afford him any excuse; instead it should aggravate his criminal liability.

Intoxication is aggravating when it is habitual or intentional and subsequent to the plan to commit a crime. But under our legal concept, intoxication is no defense in the commission of a crime.

THE AMOUNT OF ALCOHOL NEEDED TO CONSIDER INTOXICATION A MITIGATING CIRCUMSTANCE –

The Revised Penal Code does not expressly provide the degree of intoxication needed to mitigate an offense but obviously, it is that amount of alcohol sufficient to produce such an effect that must diminish the person's capacity to know the injustice of his acts and his will to act accordingly. NOTE: The intoxication must operate to weaken the will of the person and to enable him to commit crime more easily.

F. ALCOHOLISM AS A POLICE PROBLEM

1. Juvenile delinquency and teenage crime are mostly traceable to the indiscriminate sale of liquor to minors by stores, saloon, bars and other drinking places.

2. Drunkenness has always been connected with many forms of criminal behavior, usually characterized by violence or negligence.

3. Drunken drivers have been shown by police records to be the major causes of traffic and pedestrian accidents in the country resulting to loss of so many lives.

4. Alcoholism is always connected with other forms of vices, the alcoholics being hooked to drug addiction by way of association with others.

5. Drunkenness works injurious to the health and morality of the people forcing the alcoholics to depravity and to commit crimes, such as the chronic alcoholics.

G. KINDS OF INTOXICATION

1. Involuntary – when a drunken person does not know the intoxicating strength of beverage he has taken.

2. Intentional – when a person deliberately drinks liquor fully knowing its effects, either to obtain mitigation or to find the liquor as stimulant to commit crime.

3. Habitual – when the person finds that drinking his a constant necessary and the vice ultimately takes hold of him.

H. VARIOUS DEGREE OF INTOXICATION

1. Slight Inebriation – there is reddening of the face. There is no sign of mental impairment, in coordination and difficulty of speech.

2. Moderate Inebriation – the person is argumentative and overconfident. There is slight impairment of mental difficulties, difficulty of articulation, loss of coordination of finer movements. The face is flushed with digested eyeball. He is reckless and shows motor in coordination. The person maybe certified by the doctor as being under the influence of liquor.

3. Drunk – the mind is confused, behavior is irregular and the movement is uncontrolled. The speech us thick and in coordinated. The behavior is uncontrollable.

4. Very drunk – the mind is confused and disoriented. There is difficulty in speech and marked motor incoordination and often walking is impossible.

5. Coma – the subject is stuporous or in comatous condition. Sometimes it is difficult to differentiate this condition with other conditions having coma.

I. BRIEF EXPLANATION HOW A PERSON GETS DRUNK

Alcohol has its maximum period of absorption from 30 to 60 minutes after ingestion and it is absorbed in the stomach and in the intestines. Technically, if alcohol is only inside the stomach and intestine and not yet absorbed, it is practically outside of the body because it cannot produce its physiologic and neurologic effects.

The rate of absorption of alcohol in the stomach and intestine depends upon the following factors:

1. Concentration and total quantity of alcohol taken.
2. Nature of food present in the stomach and intestine.
Fatty foods makes absorption of alcohol slower as compared with sugar and other carbohydrates and protein.
3. The length of time the gastric contents are held in the stomach prior to the opening of the pylorus
4. Permeability of the stomach and intestinal membrane to alcohol.
5. Chronic drinkers absorb alcohol faster than non-habitual drinkers.
6. Concentration of alcohol in the beverages between 10 and 20% is the most rapidly absorbed.

J. SYMPTOMS OF ALCOHOLISM (Immediately after ingestion)

1. There is a sensation of well-being and slight excitement
2. Actions and emotions are less strained
3. Persons become careless and develops increase of confidence in himself
4. Sense of perception and skilled movement slackened
5. Person becomes irritable, sleepy, gay and pugnacious
6. Persons becomes clumsy and incoordinate
7. Speech becomes thick and slurring
8. Incoordination causes the person to become giddy, stagger and possibly fall
9. Finally, the person passes to the state of coma or vomiting due to gastro-intestinal irritation.

K. THE POLICE PROBLEM OF DRUNKEN DRIVER

When is a Driver Drunk?

1. Courts are a little vague as to what they mean by “drunken driving”. Some judges hold that if the alcohol, has, in any way and to any degree, affected the driver’s coordination or speed of reflex action, then the driver is under the influence of alcohol.

2. For some other courts, the standard appears to be at the driver is drunk “if he does not possess the clearness of intellect which he would otherwise possess” – a reasonable sounding criterion, though difficult to interpret. In some courts on the other hand it appears that man is not “intoxicated within the meaning of the lawunless it is shown that he has lost the control of either of his mental faculties..... or of the muscles of locomotion”. The essence of this formula is the meaning of the phrase “lost control”.

Proving a Drunken Driver by Police Investigation –

Drunken driving is a violation of the provisions of the Land Transportation Code and the offender driver is subject to arrest and punishment, confiscation and cancellation of license to drive. These drunken drivers are not often detected

by the police, and yet, they are great hazards to traffic. Worst, when they commit car accidents resulting to death of persons involved. Great problem are encountered by police investigator and these two difficulties are:

1. The difficulty of proving a person is drunk without chemical tests; and,
2. The allegation of the driver that taking a test without his consent is a violation of his constitutional right against self-incrimination.

L. COMMON DEFENSE OF DRIVER AGAINST A FINDING OF DRUNKENNESS

1. That the odor on his breath is due to anti-freeze which spilled on him when he was filling the radiator of the car.
2. That he used a mouthwash and perhaps that contained alcohol, thus causing the odor on his breath;
3. That he is a diabetic and his swaying is due to acidosis or to insulin
4. That he had a blow on the head recently and that is why he is staggering
5. That he did not sleep last night and that is why he is groggy.
6. These findings are the effects of the medicine the doctor is giving him
7. That he has been unable to walk straight ever since he hurt his legs or back.
8. That dust blew into his eye which accounts for the redness.

M. CLINICAL EVIDENCE OF DRUNKENNESS OR ALCOHOLISM

Clinical evidences are signs or appearances available to the naked eye of an examining doctor or police investigators which will prove, prima-facie, that a person is drunk without the need of a chemical or scientific examination. In acute alcoholism, the clinical evidences are matters of common knowledge.

Some Forms of Clinical Evidences:

1. Clothing – it is untidy, stained and with smell of alcohol.
2. General Appearances – bloodshot eyes, red-faced, groggy stance coordination is lost.
3. Breath – with varying degree of alcoholic odors
4. Speech Content – incoherent, sarcastic, hostile attitude
5. Eyes – dilated pupils, reddened conjunctive or glassy appearance
6. Mentality – lack orientation, clarity of thought, no self-control, euphoria, excitement, depression
7. Tremor and irregular behavior

PHYSICAL TEST FOR DRUNKENNESS (ROMBERG'S TEST)

The following physical tests are available to the investigator in determining whether a person under investigation is under the influence of liquor or not:

1. Let the subject stand straight with heels together and with closed eyes for at least one minute. If he is not drunk, he will not sway to the front or to the sides, but if he is drunk, the body will not be stable in the absence of any pre-existing disease.
2. Let the subject stand straight with one foot ahead of the other so that the toes of one foot touches the heel of another. This will remove the brace to prevent the side sway. If drunk, there is more likelihood that the subject will sway sidewise and fall. The test may be repeated after the subject is free from the effects of alcohol and make a comparison of stability.
3. Let the subject sit comfortably in a desk and get samples of his handwritings. Compare these handwritings with those taken when he is free from alcohol.
4. Let the subject bend down and pick up a small object from the floor. If he stumbles, then his nervous system is not stable and that he may be drunk.

5. Let the subjects go straight forward to a corner of a room and rapidly turn quickly and without stopping. Tell him to walk back. You will notice that the subject may have uncertainty of steps, sidesteps, or staggers while making the turn and in walking.
6. Let the subject lift two objects from the table and replace them side by side on the table without fumbling.
7. Let him pronounce distinctly the words like "truly rural" and note whether there is slurring of speech, especially in pronouncing some consonants.

ADMISSIBILITY IN EVIDENCE OF CHEMICAL TESTS FOR PROVING INTOXICATION

Any chemical and scientific test for alcohol to determine whether a person is under the influence of alcohol is admissible as evidence in court. Withdrawal of blood from a person and extraction of urine sample from a person suspiciously drunk to determine the alcohol concentration in the blood and/or urine is not self-incriminatory. The act is purely mechanical and it does not utilize the mental faculties of the person or subject. This is important in crime detection because the person cannot refuse the investigation in submitting himself to a chemical or scientific examination.

FORMS OF CHEMICAL AND SCIENTIFIC TESTS OF INTOXICATION

1. Analysis of blood for alcohol contents
2. Analysis of urine for alcohol contents
3. Analysis of saliva for alcohol contents
4. Analysis of breath to determine concentration of alcohol
5. Analysis of body tissue and spinal fluid

THE BLOOD-ALCOHOL TEST

This test is the most widely accepted and direct method of determining the concentration of alcohol in the blood. This is done by physician, nurse or competent technician upon request of the police investigator. The following are the present two presumptive standards relating to the interpretation of blood alcohol contents:

- a. If there is 0.05 percent or less by weight of alcohol in a person's blood, it shall be presumed that he is not under the influence of intoxicating liquor.
- b. If there is 0.15 percent or more by weight of alcohol in a person's blood, it shall be presumed that he is under the influence of intoxicating liquor.

If the result of a chemical test indicated blood-alcohol concentration in between these zones, there is no presumption that the person was or was not under the influence of intoxicating liquor. But the chemical test result is nevertheless competent evidence to be considered in establishing whether the person actually was under the influence of intoxicating liquor.

The Urine-Alcohol Test:

Urine examination to determine blood alcohol contents gives an acceptable result to the court although the use of this chemical test is not yet widespread in our jurisdiction. Sample of urine must not be taken at one time only because urinary excretion of alcohol varies with time. Excretion is less during the early stage of absorption and may be more than that in the blood during the later stage.

TREATMENT AND PREVENTION OF ALCOHOLISM

In the treatment of alcoholism, the attitude of the patient is very important. It must be directed to develop the following conditions of the mind:

1. The patient must want to be cured;
2. The patient must believe that he can be cured; and
3. That the treatment will not fail.

Similarly, the following should be done to the patient:

1. The patient must be deprived of alcohol slowly;
2. He must be given plenty of rest;
3. He must be given adequate exercise;
4. He must be given proper diet; and,
5. Vitamins should be given to him in order to supplant the inadequate consumption of his food.

The Three Methods of Therapy (Treatment) on Alcoholism:

1. Aversion Treatment
2. Psychotherapy method
3. Program of Alcoholics Anonymous

1. The Aversion Treatment –

This treatment seeks to create an aversion from alcohol by the administration of a nauseating drug to be followed by a drink of liquor, and thus develops a dislike of alcohol. The method maybe rather costly since hospitalization maybe required. Moreover, the effect is not always lasting and treatment must be repeated. Yet, it is said that this method has proven effective in more than half of the cases.

2. The Psychotherapy Method –

This cure depends upon showing that the real problem of the alcoholic is not the alcohol itself but the emotional problem that led the alcoholics to drink. This method therefore, aims to eliminate these emotional tensions. Through therapeutic interviews, it undertakes to make the alcoholics aware of why he drinks and to provide him with the strength necessary to combat his problems.

3. The Program of Alcoholics Anonymous –

This method is based on conversion and fellowship. It emphasizes that alcoholics understand alcoholism better than anyone else; that man is dependent upon God and must turn to Him for help; that the alcoholic must sincerely desire to stop drinking; and, that he must admit that he is an alcoholic and cannot drink in moderation.

The alcoholics is encourage to attend the meetings of ex alcoholics, to participate in their fellowship, and to make himself available for service to others who are suffering from alcoholism. Members are forced to acquire habits through group influence even if he fails a number of times. They may talk over their problems with the group and discover that their problems are vy no means unique. Members may go where alcohol is served, and may ever serve it to others themselves, but at the AAA parties and meetings, only milk and softdrinks are available.

The organization utilizes the intimacy of the primary group as therapeutic tool to effect a fundamental change in the personality of the alcoholic. Its service is supportive rather than aggressive, and the individual must learn to assume responsibility for his own cure. It is claimed that 75% of those who participated in the AAA programs have been rehabilitated.

NOTE: No one type of therapy can be effective in alcoholism because each case differs from others in terms of environmental factors and the reaction of the personality. Incarceration is futile in the rehabilitation of chronic alcoholics. It is necessary that a psychological and medical approach be made to the problem for its effective cure.

II - PROSTITUTION

I. Definition of Terms:

1. Prostitution - It is an act or practice of a woman who engage or habitually in sexual intercourse for money or profit.
2. Prostitute - A woman who engage in discriminate sexual intercourse or acts with males for hire.
3. Pimp - One who provides gratification for the lust of others.
4. Operator or Maintainer – one who owns or manages houses of ill-refute where the business of prostitution is conducted. Sometimes they are called “madame or mama san”.
5. White Slavery - The procurement and transportation of women cross stateliness for immoral purposes.
6. Organized Crime - Includes gambling, prostitution, dope (narcotics) and other illegal or dubious businesses.
7. Whores/Knocker - It is a name often used for all types of prostitute.

II. INTRODUCTION:

Prostitution and gambling are two vices that have plagued or caused so much suffering to mankind. There is no country in the world that is free of these vices. Many efforts and many methods have been devised at various times by man in attempting to control these two evils. However, up to present there has been no effective method of control. The police of any country have a responsibility to all of the citizens to make concentrated effort to eliminate these vices. The reason for this is quite simple. The two vices, prostitution and gambling, have a demoralizing and deteriorating effect upon any and all societies. Possibly the single item that makes it most difficult to control these vice is the wide diversity of public opinion as to degree of control that is desired. Many people will verbally condemn the two vices, and yet practice or participate in them.

Prostitution is often called the “oldest profession” in the world and records of prostitution exist since the beginning of recorded history. Prostitution today, although controlled and against the law in most countries, is still legal in some other countries. In some countries the laws are designed to combat the so called commercialized type of prostitution.

III. Two Basic Reasons Why Prostitution Must Be Suppressed

1. Control of venereal disease (VD)
2. Prevent organized crime

Statistics gathered by health organization throughout the world proved beyond any doubt that venereal disease increases with an increase in the amount of prostitution. Crime syndicate wields enough money and power to manipulate businesses and officials of major cities. If not controlled and prevented it will breed corruption and chaos.

For the existence of most of this organized crime, the individual citizen and no one else is to blame. A certain segment of people must be involved in partaking of the services offered by organized crime. Otherwise, if citizens refused these services, organized crime would go out of business.

The Causes of Prostitution

1. Poor social background and personality handicaps are some of the basis for drift into prostitution.
2. Previous sexual experience, mostly unfortunate and in or out of wedlock.
3. Contact with persons in or on the fringe of the business of prostitution.
4. Love for money and luxury on the part of the prostitute.
5. Lack of restraining check from neighbors, social environments and laxity of social control much as the agency for religious training and reforms.
6. The influence of contraceptives and preventive treatment for venereal diseases.
7. Efforts to support other vices such as drug addiction or alcoholism.
8. For the unwilling prostitutes, they are victims of white slave traffic such as kidnapping, keeping them under physical restraint, forcible abduction of women and victims of crime against chastity.
9. The indifference of law enforcement authorities in safeguarding the virtues of women and lack of courage of the victim of white slave trade to pursue the prosecution of cases they filed against the perpetrators.
10. Social causes of prostitution such as:
 - a) broken families
 - b) anonymity of city life
 - c) poverty and other

IV. Types of Prostitutes on the Basis of Operation

A. CALL GIRLS - These are the part-time prostitutes. They have their own legitimate work or profession but work as prostitutes to supplement their income. Sometimes they are tellers, sales-ladies of department stores, waitresses, beauticians, or engage in similar jobs that they use to make contacts with customers. They receive telephone calls from a selected group of customers and make arrangements to meet them at a designated place. She may work alone or in partnership with an intermediary with whom she shares her earnings.

B. HUSTLER - is the professional type of prostitutes. She may be a bar or tavern "pick-up" or a "street walker".

The bar or tavern "pick-up" frequents places where liquor is sold, sometimes operating with the consent and knowledge of the management. The streetwalker is the oldest and the most common type of prostitute. She may work with taxi-drivers and commit prostitution in a taxi-cab. Her common customers are the tourists, gamblers, criminals, addicts and others. Their operation is oftentimes associated with swindling their customers.

C. DOOR KNOCKER - this is the occasional or selective type of prostitute. She is usually a newcomer in the business. Oftentimes, they are motivated by extreme desire for money due to poverty or supporting their other vices. She makes contact thru information coming from the professional and hustler who are friends who gives her addresses of prospective customers. She frequents hotels and furnished fun houses. She caters the affluent male members of the business world.

FACTORY GIRLS - are the real professional type of prostitutes. She works in regular houses of prostitution or brothels. She accepts all comers and has nothing to do with the selecting and soliciting the customers. She works in regular hours or tour of duty under the direct supervision of the madam or operator of the prostitution house. She gets her share of the earnings by commission or per customers.

V. Types of Prostitution Houses

A. DISORDERLY HOUSES – usually ridges several number of factory girls or professional prostitutes and under the control of an organized crime ring. A “madam” or “maintainer” supervises the operation supported by a staff of teller (cashier), bell or room boys, register clerks, watchmen, pimps and security guards known as bouncer. Their operation appears to be a legitimate business entity mostly under the protection of crooked policemen or law enforcement authorities and their location is prominently known to all their customers. They have number of small rooms with the prostitutes staying thereat where they wait for customers. At times, the house provided with secret exits ready for escaping in case of police raids.

B. FURNISHED ROOM HOUSE -usually operated by an experienced “madam” who rent rooms to legitimate roomers in order to maintain an appearance of responsibility Purposely, the madam leaves several rooms not rented to legitimate roomers for ready use of the prostitution. These prostitutes are mostly the call girls who make the room their designated places in perpetrating their business. Their rent is on per customers basis or they maintain the rent continuously but the prostitutes do not live there permanently but elsewhere to maintain their anonymity and identity. These houses could be found mostly in flashy subdivision or residential areas.

C. CALL HOUSES - this is where the customers call and the madam makes the arrangement and sends the girls by a transporter who is a man or woman to the place arrangement. The house appears to be a legitimate business house such as service agencies, travel offices, coffee shops, beauty parlors and the like duly licensed and registered as such with the government office. However, the telephone number is limited only to qualified customers as recommended by their pimps who conduct the background investigation on the ability of the prospective customers to pay.

C. MESSAGE CLINICS - these houses are operated under a licensed or permit issued by the government but acts as a front for prostitution where the act maybe done or as per arrangement. They operate with barbershops with manicurists or “attendants” and “massagists” who while servicing their customers may make contacts or the prostitutes or themselves. These prostitutes are sometimes the newcomers in the business who do not earn much as attendants or massagists.

VI. Dangers of Prostitution and its nature

1. Prostitution is made punishable by the penal laws of the country and its existence has been the subject of prohibitions by both national and local government.

2. This activity is inextricably interwoven with many other criminal activities such as Part of organized criminal syndicate. It is often a hang-out for gunmen, gangsters, dope peddlers, drug addicts, bootleggers, hijackers and others.

3. The prostitute lives a life of shame and the stigma of mismirched character makes her impossible to return to normal life.

4. Prostitution as an oldest profession cannot be the subject of regulation with the end in view of eliminating it but can only be minimized since no law regulate the emotional lives of men.

5. For lack of medical supervision and control, the spread of venereal diseases and the acute effect of syphilis on the male customers may cause mental and physicaldeterioration of the body and even transmitted to the offspring and wife of the customer since the diseases is contagious.

6. As part of a lucrative business, the white slave trade victimizes the most innocent members of our womanhood in the society and therefore, destroys their opportunity in the future

VII. Control and Prevention of Prostitution

The following schools of thought are the suggested methods of control and prevention of the existence of prostitution:

A. THE SCHOOL OF REGULATORY CONTROL

This method maintains the idea that we cannot do away with prostitution unless we consider the problems and remove the causes of prostitution. The scheme originated from the French System of controlling the prostitutes under the direction of Napoleon Bonaparte in 1808 while he was trying to protect his soldiers from the vile of prostitute exists as well as the supply, the practice cannot be totally eliminated. Arrests, detention and punishment of prostitutes would only drive them to clandestine Activities in places where they cannot be effectively controlled and inspected. In view thereof, the following regulatory policy has been adopted to provide the necessary protection for the society.

1. Segregation of brothels and soliciting to restricted districts.
2. Public licensing of houses of prostitution
3. Registration of prostitutes to protect them from the exploitation of white slave trade
4. Periodic medical examination of prostitutes and public health education.
5. Legalization of the practice of prostitution under government supervision and control to make it more realistic.
6. That arrest of prostitutes be handled by non-police agencies but should be taken care by social workers and medical men.
7. Finally, the rehabilitation of prostitutes by providing them jobs and facilities to earn a decent living.

B. THE SCHOOL OF TOTAL REPRESSION –

This method believes that prostitution is both a crime and a vice and therefore, should be repressed and totally prohibited. It maintains that chastity and continence should be the rule of conduct for everybody and to allow prostitution would be to abet immorality and white slave trade. As to licensing of prostitution, this school of thought argues that it invites men to enjoy promiscuity free and easy and without fear of the law. While it accepts the fact that men may still indulge in prostitution despite repression measures, but men would be more cautious, apprehensive and afraid of reproach or arrest from the decent members of the society. This is an American Plan on the control of prostitution which suggests the following method of suppressing prostitution:

1. Strict enforcement of all legislation against prostitution and all other vices or activities connected with it.
2. Education of the public regarding sex, prostitution and venereal diseases.
3. Adoption of medical measures and establishments of medical facilities for the diagnostic and treatment of venereal diseases.
4. Adoption of codes of self-regulation and organization of community cooperation
5. Making it unlawful for both men and women to engaged in prostitution.
6. Increase of penalties now applicable and existing to prostitution at he persons who may be punishable in relation to the practice of prostitution.

VIII. Arguments Advanced for Licensing Prostitutes:

Until about 20 or 25 years in many parts of the world a system of licensing prostitution was popular. This system reflects some semblance of control. This licensing system based on the theory that the prostitutes would have to submit to medical examinations and also would have be recorded by the law enforcement authorities. In this manner it was believed the police could eliminate the undesirable and the diseased.

There are many arguments advanced for licensing prostitutes and permitting them to work in designated districts.

It is claimed that such licensing would reduce sex crimes upon women. That it would eliminate or greatly reduced the crimes of rape, assault with intent to rape, or molestation of women or children.

It is also claimed that controlled prostitution would help to prevent the spread of venereal disease or infection.

All recent experiments in "controlled" prostitution have been a dismal failure. During WW II the houses of prostitution in many cities throughout the world operated not only under a form of official municipal approval, but also with the approbation of the military authorities. Sex crimes did not diminish. Rape flourished, and so did venereal disease.

It is known today that permissive legislation can control only a few prostitute. No feasible method of medical control has ever truly prevented the spread of venereal disease by professional prostitutes. And they will be ably assisted by their unlicensed sisters who will continue to operate unlawfully.

IX. Police Difficulties in Securing Information on Prostitution:

1. Patrons of houses of prostitution avoid any open contact with the police.
2. Usually letters and complaints received by the police are unsigned and the caller unidentified or anonymous.

3. It is only by maximum effort through diligent work and investigation on the part of the police may rid of a community of this evil. (More often locations of these places of ill-fame will be discovered by diligent work and investigation on the part of the police).

X. LEGISLATIVE MEASURES AND STRATEGIES ON PROSTITUTION:

1. Article 202, RPC – Vagrants and Prostitutes

a. Any person having no apparent means of subsistence, who has the physical ability to work and who neglects to apply himself or herself to some lawful calling;

b. Any person found loitering about public or semi-public buildings or places or trampling or wandering about the country or the streets without visible means of support;

c. Any idle or dissolute person who lodges in houses of ill-fame; ruffians or pimps and those who habitually associate with prostitutes;

d. Any person who, not being included in the provisions of other articles of this Code, shall be found loitering in any inhabited place belonging to another without any lawful or justifiable purpose;

e. Prostitutes.

For the purpose of this article, women who, for money or profit, habitually indulge in sexual intercourse or lascivious conduct are deemed to be prostitutes.

Any person found guilty of any of the offenses covered by this article shall be punished by arresto menor or a fine not exceeding 200 pesos, and in case of recidivism, by arresto mayor in its medium period to prison correctional in its minimum period or a fine ranging from 200 to 2,000 pesos, or both, in the discretion of the court.

2. Article 201, RPC – Immoral Doctrines, Obscene Publication and Exhibitions. The penalty of prison correctional in its minimum period or a fine ranging from 200 to 2,000 pesos, or both, shall be imposed upon:

- a. Those who shall publicly expound or proclaim doctrines openly contrary to public morals;
- b. The authors of obscene literature, published with their knowledge in any form, and the editors publishing such literature;
- c. Those who in theaters, fairs, cinematographers or any other place open to public view, shall exhibit indecent or immoral plays, scenes, acts or shows; and
- d. Those who, shall sell, give away or exhibit prints, engravings, sculptures or literature which are offensive to morals.

3. Article 341, RPC – White Slave Trade

The penalty of prison correctional in its minimum and maximum periods shall be imposed upon any person who, in any manner, or under any pretext, shall engage in the business or shall profit by prostitution or shall enlist the services of women for the purpose of prostitution.

4. City (Manila) Ordinance No. 4638 (Vag. Prostitution) (Section 822, RO)

5. MMC Ord. No. 85-04-Child Prostitution Law

Prohibiting minors to work in sauna baths, massage clinics and the like.

6. Section 18, Rule 111, INP Rules and Regulations (PD 765)

House of Ill-Refute

Members of the PNP shall not enter any house suspected or reported as being of ill-refute except in the performance of duty and if compelled to enter such place shall report the fact to their superior officer as soon as practicable.

7. Senate Bill No. 716 – Anti-Obscenity Act of 1988 - Sponsored by Senator Shahani, Leticia.

GAMBLING

1. Gambling – it is a game or scheme the result of which depends wholly or chiefly upon chance or hazard
2. Chance or Hazard – is the uncertainty of the result of the game or when the outcome of the game is incapable of calculation by human reason, foresight, sagacity or design.
3. Lottery – it is a scheme for the distribution of prizes by chance among persons who have paid or agreed to pay a valuable consideration for the chance to obtain a prize.
4. “Maintainer” – is the person who sets up and furnishes the means with which to carry on the gambling game.
5. Conductor – is the person who manages or carries the gambling game.
6. Banker – is the person who keeps the money from which the winner is to be paid.
7. Totalizer – is a machine for registering and indicating the number and nature of bets made on horse races.
8. Wager – is the bet or consideration placed on gambling games.
9. Prize – is the inequal amount due to the winner.
10. Topada – the illegal cockfighting conducted on a day or at a cockpit not permitted by law.

11. Gullible Person – person who easily deceived especially in crooked gambling.
12. PAGCOR (Philippine Amusement and Gambling Corporation) – office that controls/regulates gambling games like the casino.

II. INTRODUCTION:

The laws relating to gambling are not all uniform throughout the world. Moreover, the interpretation of gambling law, is in many cases, seemingly in consideration with the language of the statutes on the subject. In spite of this, it is still the responsibility of the police to enforce such laws.

In gambling as in business, the head of the organization is in a position to take the largest profit. He may have operating for him many gamblers and proprietors using his equipment and paraphernalia. Each of those person is engaged in a continuing series of criminal acts and each act result in unfailing monetary gain. The total number of criminal acts amounts into the hundred of thousands, for which the head of the organization receives a percent of the profit in each act. Though collected in small amounts, the total amount is enormous. The general public is unaware of the tremendous sums of money that are diverted from the normal business channels in this manner.

The tremendous profits from gambling are used to circumvent the law. Funds are made available to corrupt to influence, to bribe, to campaign, to employ the best legal, talent to retain in office friendly, public officials, and to remove unfriendly ones. Gambling profits add to police difficulty in the control of gambling itself.

III. RELATIONSHIP OF GAMBLING TO OTHER CRIMES:

Communities in which gambling flourishes attract criminals. The unstable character of criminal and usual lack of normal relations with other persons cause them to seek recreation in gambling establishments. Their profits from crime are usually spent rapidly in some form of vice. The gambling operator is also a criminal and normally welcomes other criminals and sometimes assists them in disposing of their loot, obtaining weapons and planning other crimes.

Communities where gamblers always have a high crime rate. Establishments and districts, containing them are frequently the scenes of murders assaults and drunkenness. Private persons, when victimized by crooked gambling, sometime commit suicide, embezzle funds and commit a variety of other serious offenses. The existence of gambling in a community therefore greatly increases the task of the police. Many professional gamblers will play only when there is a certainty that they will win. These gamblers play with gullible (easily deceived) native persons who fail to realize that the game they play is so fixed and controlled that there is no possibility of their ever winning. These “sure thing” gamblers used marked cards controlled roulette wheel and slot machines. The most common of the crooked gamblers are those who play with cards and dice. They have little difficulty in finding gullible people with whom to play.

IV. CLASSIFICATION OF GAMBLING GAMES

1. Those who are absolutely or per se prohibited

Examples:

- a. Under Art. 195, RPC – monte, jueteng, other form of lottery, policy, banking or percentage game and dog races;
- b. Faro and roulette is absolutely prohibited by the Gambling Law.
2. Those which are regulated by law. These games are regulated in the sense that the law allows the same to be played except on certain specified of the day.

Examples:

- a. Cockfighting under Art. 199, Revised Penal Code;
- b. Horse Racing under Art. 198, Revised Penal Code;
- c. Panguingue, cuajo, domino, mahjong, entre cuatro, and other under Sec. 828, Revised Ordinances of the City of Manila

IV. REQUISITES/ELEMENTS OF THE CRIME OF GAMBLING

- 1. That money or other consideration of value is at stake
 - 2. That the result of the games depends wholly or chiefly upon chance or hazard
- In cases of lottery, there must be:

- 1. consideration;
- 2. chance, and;
- 3. prize or the unequal amount due to the winner

NOTE: Lottery becomes punishable only when the participants buy ticket only for purposes of participating in the lottery but not when the participation is only incidental to buying a certain good wherein the participation entitles the buyer an equal value of his money's worth.

VI. ACTS PUNISHABLE IN GAMBLING

- 1. In cases of gambling games absolutely prohibited under Article 195, Revised Penal Code:
 - a. taking part directly or indirectly in gambling;
 - b. knowingly permitting any form of gambling to be carried on any place owned or controlled by the offender;
 - c. being a maintainer, conductor, or banker.
- 2. In cases of lottery under Article 196, or banker.
 - a. Possession of lottery lists which pertain to, or used in the game;
 - b. Importation, selling or distribution in connivance with the importer of lottery tickets
 - c. Selling or distribution without connivance with importer.
- 2. In cases of horse racing under Article 198, Revised Penal Code:
 - a. Betting on horse races during the periods or days not allowed by law, such as:
 - 1. Ordinary working days, but not legal holidays and those not allowed by the Games and Amusement Board.
 - 2. July 4th (now June 12, Independence Day) under Rep. Act No. 137.
 - 3. December 30th of each year commonly known as Jose Rizal Day under Rep. Act No. 229.
 - 4. Any registration or voting days under Rep. Act No. 180, as amended (Revised Election Code).
 - 5. Holy Thursday and Good Friday under Rep. Act No. 946.
 - b. Maintaining or employing a totalizer or other device or scheme for betting on races or realizing profit therefrom.
 - c. Under Rep. Act No. 3063, the operation and maintenance of "bookie joints" not authorized by the Games and Amusement Board and acting as "collector" or "solicitor" of bets on horse races for the bookie joints are prohibited.

4. In cases of illegal cockfighting under Article 199, Revised Penal Code:

- a. Betting money or other valuables and organizing such cockfights at which bets are made on a day other than permitted by law.
- b. Betting money or other valuables and organizing such cockfights in a place other than a licensed cockpit.

5. And finally, making bets which are offered and accepted upon the result of a boxing or other sports contest is punishable by Article 187, Revised Penal Code and Section 830, Revised Ordinances of the City of Manila.

NOTE: A mere bystander or spectator in a gambling game is not criminally liable, because he does not take part therein, directly or indirectly. Mere presence in a gambling house or cockpit is not punishable.

VII. DANGERS OF THE VICE OF GAMBLING:

1. An evil that undermines the social, moral and economic growth of the nation.
2. It is beyond the good morals which has the effect of causing poverty, dishonesty, fraud and deceit.
3. It causes man to neglect his social obligations and the welfare of his business as a source of income.
4. Women and mothers who waste their time at the gambling board may neglect their duties to the children and cause serious problem and proliferation of juvenile delinquency.

VIII. CONTROL OF GAMBLING AND PROSTITUTION (OBTAINING EVIDENCE AGAINST A GAMBLING HOUSE AND A HOUSE OF PROSTITUTION)

Laws relating to public morals which mainly concern a Police Department, are those designed to combat prostitution and gambling. For this reason, a "Vice Division" should be created within a police department, if it is to suppress gambling and prostitution effectively and enjoy the advantages of suitable control. Such division fixes responsibility and assures a continuing and constant control.

Although the police constantly harass the vice operators by arresting employees and agents and confiscating equipment, they are not able, generally, to destroy the organized operator. The police must do more than this if they are to stamp out commercialized vice. They must smash the head of the organization in its operation is to be stopped.

The specialization provided by a vice division enables the members of that division to study the legal procedures relating to the control of gambling and prostitution and to learn identity, locations and methods of operation of persons engaged in these activities. This centralizes information and police action, thus lessening the possibility of information "leaks" and "tip-offs".

In police organizations, as in business or industry, there are few who prove false to the trust placed in them. In some instances, police officers have been found to be on the payroll of the vice operator. Thus, police methods and anticipated police actions have been furnished the underworld in advance.

The control of gambling and prostitution requires the application of sound judgment. Decision must be made that often have far-reaching consequences. The Vice Division head should report directly to the Chief of Police or to an Assistant Chief in a very large department. This close control of the vice divisions by the head of the department is justified because of the confidential nature of its work and its significant effect on the health and stability of city government and on the criminal element of the community. Because gambling and prostitution operations involve large profits, a strong effort to corrupt officials can be expected to hinder its control. Even though only one officer is engaged in control of gambling and prostitution, he should report directly to the chief of police.

Information obtained through the vice division investigations has sometimes revealed that mayors and high-ranking police officials are corrupt. In the many countries where this has occurred, those involved have been removed from office and proper criminal proceedings initiated. Many have been sent to prison.

IX. SUGGESTED CONTROL AND PREVENTIVE MEASURES

1. The government thru its law enforcement agencies must conduct a consistent and continued raids, arrest and closure of suspect gambling dens.
2. The courts and the law makers must enact and apply the law with more teeth as a deterrent factor.
3. The economic structure of our country must cater to the large majority of our population to provide mass employment and prosperity of the people in terms of income.
4. The building of more recreational and athletic facilities to divert attention of the people from gambling activities.
5. Active participation of NGO's (non-government organization) in the campaign against vices especially gambling.

X. LEGISLATIVE MEASURES/STRATEGIES ON GAMBLING

Generally the laws relating to gambling prohibit any person or persons from profiting from the operation of any game of chance, or game, apparatus or device in which the outcome is determined solely by chance, or gambling of any sporting event. Therefore cards dice and other similar games, devices or apparatus are forbidding where a person or person profit from the play by taking percentage of each pot or hand, charging a fee of some kind, or when such games are supported financially by the operator of the enterprise. Wagering (Act of betting) on sporting events such as horse races, soccer, basketball and other amateur and professional games is criminal act only when the person or persons concerned take or placed bets outside of that allowed by the law.

In the Philippine betting on horse racing Jai-Alai and the national, lottery are legal. This is gambling "per se" even though it is legal; all other gambling is illegal.

Customs dictates the law in many cases and the laws of other countries in relation to gambling will vary. Therefore, the above definition is probably as close as can be given as an explanation of gambling that will apply to all types.

LAWS RELEVANT TO GAMBLING

1. PD 1602 - Prescribing Stiffer penalties on illegal gambling
2. PD 510 - Law on Slot Machines
3. PD 449 - Illegal Cockfighting
4. PD 483 - Game fixing in Sports Contest
5. PD 1306 - Jai-Alai bookies
6. RA 3063 - Horse Racing Bookie
7. Art. 195-199 R.P.C. - Forms of Gambling and Betting
8. LOI No. 816 – Exclusion of certain prohibited games under PD 1602
9. Rule III, Sec. 21, PNP Rules and Regulations (PD 765) GAMBLING
No member of the PNP shall engage in any form of gambling prohibited by law.
10. Sec. 823, R.O. - Gambling Dens (Maintainer/Operator)
11. Sec. 824, R.O. - Gambling Devices, Possession of Pinballs
12. Sec. 827, R.O. - Gambling (Players)
13. Sec. 828, R.O. - Mahjong, Regulated Games
14. Sec. 830, R.O. - Betting in Athletic Contest

XI. INSTRUCTIONS TO POLICE OFFICERS

Officers on "Post" should bear in mind that unlawful card games, dice games, etc. are usually carried on in places under a club charter, private dwellings, vacant buildings, private buildings, cheap bars, upper floor of garages and even large trucks. Gambling should be suspected whenever the nature of the business carried on in such a place is suspicious and free inspection of the police is not allowed by the person in charge of the premises, especially so when the premises are frequented by known gamblers.

XII. HOURS OF WORK OF MEMBERS UNDER THE VICE DIVISION:

Vice Division members should work as a team and their effective strength should not be assigned to more than one shift. Their hours should be flexible and judged on the basis of the need. Certain hours of work are more desirable than others. As most gambling and prostitution violators start between the hours of 7:00 or 8:00 in evening and diminished around 3:00 or 4:00 in the morning, it is recommended that the vice squad work as a team during these hours. The hours, should however, remain flexible enough, change in the event of emergencies and special events.

DRUGS

□ Any chemically active substance rendering a specific effect on the central nervous system of man.

□ A chemical substance that affects the functions of living cells and alters body or mind processes when taken into the body or applied through the skin.

DRUG ABUSE

Is the overuse or consumption of drugs other than for medical reasons.

Abuse of drugs and other substances can lead to physical and psychological dependence.

DRUG DEPENDENCE

Characterized by the compulsion to use a drug to experience psychological or physical effects despite deterioration in health, work, and social activities.

It is a cluster of physiological, behavioral and cognitive phenomena of variable intensity in which the use of psychoactive drug takes on a high priority thereby involving, among others a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance taking behavior in terms of its onset, termination, or levels of use. (RA 9165)

TYPES OF DRUG DEPENDENCE

□ Physical Dependence - can only be discernible when drug intake is decreased or stopped and an involuntary illness called the withdrawal syndrome occurs.

□ □ Psychological Dependence - Exhibited when a user relies on a drug to achieve a feeling of well- being. The most extreme form of this is the obsession of the user with the drug, thus focusing virtually all his interest and activity on obtaining and using it. It also arises from the ability to satisfy some emotional or personality needs of an individual.

FORMS OF DRUG DEPENDENCE

☐ Tolerance - A form of physical dependence, occurs when the body becomes accustomed to a drug as the drug is repeatedly taken in the same dose. It now requires ever- increasing larger doses to achieve the same desired effect. Tendency to increase dosage to maintain the same effect in the body.

☐ Habituation - A form of psychological dependence, characterized by continuous desire for a drug. A person believes that the drug is needed to function at work or home because drugs often produces an elated/ excited emotional state.

☐ Addiction - a form of physical dependence, severe craving for the drug even to the point of interfering with the person's ability to function normally.

SOME RECOGNIZABLE SIGNS OF DRUG ABUSE

☐ Sudden shift in attitudes and demeanor

☐ Mood swings

☐ Highly excitable and displays fits of rage and aggression

☐ Unusual effort to conceal needle marks.

☐ Wearing dark eyeglasses to conceal constricted or dilated pupils and bloodshot eyes

☐ Sudden regression from usual and normal capabilities

☐ Neglect of personal grooming, hygiene and appearance

☐ Engaging in petty crimes to support illicit habit

☐ Association with known drug users

COMMON REASONS WHY PEOPLE TURN TO DRUG ABUSE

☐ Parental influences - unhappy home, parents showing little or no interest in their children, Abuses committed by parents such as harsh physical punishments; Lack of parental values; parents who are permissive and liberal; parental neglect; domestic violence; role modeling.

☐ Peer influences - Drug using friends encourage, pressure even, a youth to experiment with drugs.

☐ Personality Factors - Curiosity or the desire to experience a new state of consciousness; Escape from physical and mental pain, relief from boredom and frustration, and desire to escape from harsh realities; unable to conform with social standards; weak personality or low sense of self esteem.

TYPES OF DANGEROUS DRUGS

DEPRESSANTS Also known as "downers", are drugs which act on and depresses the central nervous system causing initial relaxation leading to drowsiness and sleep. Used of downers results to impairment of judgment, hearing, speech and muscle coordination. They dull the minds, slow down the body reaction to such extend that accidental deaths and suicides usually happen.

OTHER NAMES AND HOW DOES IT LOOK LIKE

☐ Barbiturates – Downers, Barbs, Blue Devils, Yellow Jackets, Yellows, Nembutal, Seconal, Amytal, Tuinals

RED, YELLOW BLUE, or RED AND BLUE CAPSULES

☐ Methaqualone – Qualudes, Ludes Sopors, Mandrakes

TABLET form

☐ Tranquilizers – Valium, Libriu Equanil, Miltown Serax, Tranxene

TABLET or CAPSULE form

TYPES OF DEPRESSANTS

☐ Narcotics - The term narcotic basically refers to drugs that produces a depressant effect on the Central Nervous System. Medically they are potent painkillers, cough suppressant and active component of anti-diarrhea preparations. Narcotics relieve pain by acting on specific structures, called receptors, located on the nerve cells of the spinal cord or brain. The usual method of administering these drugs into the body is by injecting, ingestion or inhalation.

☐ Opium - Refers to the flowering plant of the species papaver somniferum. It is derived from the Oriental poppy plant which is grown in Asia and can also be found in other areas such as Mexico. The plant is usually 3 or 4 feet high, raw opium is dark brown in color and is bitter in taste. A number of alkaloids are derived from this substance, the most of which are morphine, heroin, and codeine. The plant displays a beautiful flower that ranges in color from white to purple.

☐ OTHER NAMES: Paregoric, Dover's powder, Parepectolin

☐ LOOKS LIKE: Dark Brown Chunks

☐ USED: Smoked ; Eaten

☐ Morphine - It is the most important alkaloids and constitutes about 10 % of the use raw opium. It is converted from raw opium through a relatively simple boiling and filtering process. One of the most significant development in history took place in the early 19th century, when Friedrich Serturner, a German scientist isolated morphine from opium.

☐ OTHER NAMES: Pectoral syrup, Sweet Morpheus

☐ LOOKS LIKE: White Crystals, Hypodermic Tablets, Injectable Solutions

☐ USED: Smoked ; Taken Orally ; Injected

☐ Heroin - It is the most commonly abused narcotic in the world. To produce heroin, the chemist takes an equal amount of morphine and acetic anhydride and heats them together for six hours. It was discovered by Alder Wright (1896), a British chemist. It promised to cure addiction from opium and morphine. It is a white, odorless, crystalline powder with a very bitter taste.

☐ OTHER NAMES : Smack, Horse, Brown Sugar Junk, Mud, Big H, Black Tar

☐ LOOKS LIKE : WHITE to DARK BROWN TAR-LIKE SUBSTANCE

☐ USED: INJECTED or INHALED THOROUGHLY

◊ Codeine - Also known as Methylmorphine. It is similar to morphine , but its effect is weaker in intensity. Cough preparations generally contain one grain of codeine per fluid ounce. It is also available in tablet or powder form. It was isolated from morphine in the year 1832.

◊ OTHER NAMES: Empirin, Cough Syrups, Tylenol w/ Codeine

◊ LOOKS LIKE: Dark Liquid , Capsules ,Tablets

◊ USED: Taken Orally ; Injected

◊ Methadone - a synthetic narcotic used as treatment of heroin dependence but also fallen to abused. Other than methadone, other most commonly known synthetic opiate substitute are meperidine (demerol) and darvon.

◊ OTHER NAMES: Dolly, Dolophine, Amidone

◊ LOOKS LIKE: Solution

◊ USED: Taken Orally ; Injected

EFFECTS OF NARCOTICS

- ◊ Produced a short lived feeling of pleasure, euphoria and a positive sense of well being known as “thrill”, “rush”, or “high”.
- ◊ Constrict pupil of the eye causing difficulty in vision
- ◊ On a large dose, it causes nausea, vomiting, and difficulty in breathing
- ◊ It induces sleep with a slow, shallow respiration
- ◊ Overdose cause convulsion, followed by cessation of respiration leading to death

STIMILANTS Drugs which induce alertness, wakefulness, elevated mood, increased speech, mental and motor activity, relieve fatigue or boredom and decreased appetite.

TYPES OF STIMULANTS

◊ Cocaine - The drug taken from the coca bush plant. (Ertroxylon coca) which usually grows in South America. Cocaine, in its pure form, is also white and made up of shiny, colorless crystal and understandably called “snow” in the junkie jargon. It is one of the strongest short acting stimulants.

◊ OTHER NAMES: Coke, Snow Flake, White Blow, Nose, Candy, Big C, Snow-bird, Lady

◊ LOOKS LIKE: White Crystal-line powder (often diluted)

◊ USED: Inhaled ; Injected ; Smoked

⦿ Amphetamines - usually prescribed to reduce appetite and to relieve minor cases of mental depression. This drug is representative of a broad class of stimulants known as “pep pills”. The most common and widely used preparations of the drug are methamphetamine, amphetamine sulfate, dextroamphetamine, which are known and sold under such trade names as Benzedrine, and Dexedrine. These drugs achieve their effect by increasing the amount and activity of the neurotransmitter (noradrenaline) within the brain thus causing psychic effects.

⦿ OTHER NAMES: Speed, Uppers, Ups, Black Beauties, Bumblebees, Hearts, Benzedrine, Dexedrine, Shabu

⦿ LOOKS LIKE: Capsules, Pills, Tablets

⦿ USED: Taken Orally ; Inhaled ; Injected

⦿ Methylenedioxymethamphetamine - (MDMA)- It is commonly known as “Ecstasy” It is a *white, yellow or brown in color with a bitter taste and comes in the form of either a tablet, capsule or powder*. Its tablet form comes in various designs and shapes hence it is dubbed as “designer drugs”. It was first became popular in the US as recreational drug, followed later by European and eventually gained popularity in other parts of the world including in the Philippines. Owing to its expensiveness, most abusers are categorized among the elites, yuppies (young urban professionals) and nocturnal party goers.

⦿ Methamphetamine hydrochloride - Commonly known as “shabu”. It is a *white odorless and crystalline powder* with bitter taste. It is popularly known as poor man’s cocaine. It is considered as the most abused stimulants in the Philippines. At present, this chemical has no known medically acceptable use.

EFFECTS OF STIMULANTS

⦿ Causes irritability, restlessness, hyperactivity, anxiety etc.

⦿ Impairs judgment and causes deep depression and physical exhaustion after single dose of moderate strength wears off

⦿ Causes undesirable, acute psychotic consequences such as suspiciousness, hostility, persecutory delusions, violent and destructive behavior and recklessness

⦿ Physiological effects like hypertension, chest pain, irregular heart rate, convulsion and cardiac arrest leading to death.

HALLUCINOGENS More popularly known as “psychedelics”, is a group of natural or synthetic psychoactive drugs that produce reactions such as perceptual alterations and changes in the state of consciousness. These drugs generally produced marked distortion of the senses and alter the way time is perceived by the user. They produce hallucinations or visions, hence the name. Chronic use lead to bizarre and anti-social thoughts as well as to disorientation and confusion. These drugs work by exciting the Central Nervous System and inhibiting the flow of *serotonin*, an important neurotransmitter in the brain.

EXAMPLES OF HALLUCINOGENS

⦿ Lysergic Acid Diethylamide (LSD) - a compound produced from lysergic acid, a crystalline substance derived from the fungus *claviceps purpurea* which infects wheat. It was discovered by Dr. Albert Hoffman while working in a Swiss Pharmaceutical company. Known on the street as “acid”, it is the best known and most potent hallucinogens.

◊ OTHER NAMES: LSD, Acid, Green/Red Dragon, White Lightning, Blue Heaven, Sugar Cubes, Microdots

◊ LOOKS LIKE: Bright Colored Tablets, Thin Squares of Gelatin, Clear Liquid

◊ USED: Taken Orally ; Can be applied to the Eyes

◊ Mescaline - aka STP which stands for serenity- tranquility- peace- a drug derived from the dried tops of the peyote cactus, a small cactus native to Mexico.

◊ Psilocybin - hallucinogenic compound obtained in mushroom, *psilocybe mexicana*.

◊ Phencyclidine (PCP) - considered as a menace and highly dangerous drug because it can be easily synthesized, this drug has no medical purpose for humans but it is occasionally used by veterinarians as an anesthetic and sedative for animals. It is popularly known as angel dust.

◊ Marijuana (Cannabis Sativa) - Marijuana is a Mexican term meaning *pleasurable feeling*. It is a mixed preparation of the flowering tops, leaves, seeds, and stem of the hemp plant. The plant may grow from 3 to 10 ft high. The flowering tops of both male and female plant produce a sticky resin which contains Tetrahydrocannabinol or THC. It is known as the world oldest cultivated drugs used by the Incas of Peru.

EFFECTS OF MARIJUANA

◊ Faster heart beat and pulse rate

◊ Blood shot eye

◊ Dry mouth and throat

◊ Altered sense of time or disorientation

◊ Forgetfulness and inability to think

◊ Impaired reflexes/ coordination

◊ Acute panic – anxiety reaction- extreme fear of losing control

FIELD TEST FOR DANGEROUS DRUGS

◊ Marijuana - Duquenois- Levine test (Red)

◊ Shabu - Symone's test (purple)

◊ LSD - Van urk test (Blue purple)

◊ Opium - Marquis Test (violet)

◊ Amphetamines - Marquis test (red/ orange)

◌ Barbiturates - Dilli Koppanyi/ Zwikkers test (violet/ blue)

◌ Cocaine - Cobalt thiocyanate (blue)

PHILIPPINE DRUG ENFORCEMENT AGENCY

◌ For thirty years, RA 6425, otherwise known as the Dangerous Drug Act of 1972, had been the backbone of the Philippine drug Law enforcement system. Recognizing the need to strengthen or replaced the existing anti- drug laws, Pres. Gloria Arroyo signed RA 9165 or the Comprehensive Dangerous Drug Act of 2002, on June 7, 2002 and it took effect on July 4, 2002. The new anti- drug law defines more concrete course of action for the national anti-drug campaign and imposes heavier penalties on offenders.

◌ The enactment of RA 9165 as reorganized the Philippine Drug Law Enforcement System. While the DDB remains as the policy making body, it created the PDEA under the office of the Pres. The new law also abolished the National Drug Law Enforcement and Prevention Coordinating Center, PNP Nargrp, NBI narcotics unit, and the customs interdiction office. Personnel of these abolished agencies were to continue to perform their tasks on detail service with the PDEA subject to a rigid screening process.

◌ The PDEA was officially activated on July 30, 2002 when the Pres. Appointed its first director Gen, Undersec. Anselmo Avenido Jr. One year after the creation of the PDEA, the Pres. Issued E.O. 218 on June 18, 2003 to strengthen the support mechanism for the PDEA as the lead agency in the campaign against illegal drugs. The PNP organized the PNP AIDSOTF, NBI Anti- drug task force.

RA9165

SECTION 4. IMPORTATION OF DANGEROUS DRUGS Penalty - life imprisonment and fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

IMPORTATION OF ANY CONTROLLED PRECURSOR AND ESSENTIAL CHEMICAL Penalty - imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00)

MAXIMUM PENALTY FOR THE FOLLOWING:

◌ Import or bring into the Philippines any dangerous drug and/or controlled precursor and essential chemical through the use of a diplomatic passport, diplomatic facilities or any other means involving his/her official status intended to facilitate the unlawful entry of the same.

◌ Organizes, manages or acts as a "financier" of any of the illegal activities

PROTECTOR OR CUDDLER of any violator of this provision shall be penalized by Twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00)

SECTION 5. SALE, TRADING, ADMINISTRATION, DISPENSATION, DELIVERY, DISTRIBUTION AND TRANSPORTATION OF

DANGEROUS DRUGS -Penalty - Life imprisonment and fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

CONTROLLED PRECURSOR AND ESSENTIAL CHEMICALS - Penalty – Imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00)

MAXIMUM PENALTY FOR THE FOLLOWING:

☐ Transpires within one hundred (100) meters from the school

☐ Used of minor or a mentally incapacitated individual, or should a dangerous drug and/or a controlled precursor and essential chemical involved in any offense herein provided be the proximate cause of death of a victim.

☐ Financier

SECTION 6. MAINTAINANCE OF A DEN,DIVE OR RESORT INVOLVING DANGEROUS DRUGSPenalty – life imprisonment and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

◊ The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person or group of persons who shall maintain a den, dive, or resort where any controlled precursor and essential chemical is used or sold in any form.

SECTION 8. MANUFACTURE OF DANGEROUS DRUGS AND/OR CONTROLLED PRECURSOR AND ESSENTIAL CHEMICALS

◊ Penalty for Manufacture of Dangerous drugs- life imprisonment and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

◊ Penalty for manufacture any controlled precursor and essential chemical - The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00)

NOTE :The presence of any controlled precursor and essential chemical or laboratory equipment in the clandestine laboratory is a *prima facie* proof of manufacture of any dangerous drug.

AGGRAVATING CIRCUMSTANCES If the clandestine laboratory is established in the ff. circumstances:

◊ Conducted in the presence or with the help of minor/s:

◊ Established within one hundred (100) meters of a residential, business, church or school premises

◊ Secured or protected with booby traps

◊ Concealed with legitimate business operations

◊ Employment of a practitioner, chemical engineer, public official or foreigner

SECTION 11. POSSESSION OF DANGEROUS DRUGS

◊ Possession of Dangerous Drugs regardless of purity - penalty provided life imprisonment and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

◊ 10 grams or more of opium, morphine, heroin, cocaine/ cocaine hydrochloride, marijuana resin or oil, LSD, GHB, MDMA,

◊ 50 grams or more of shabu

◊ 500 grams or more of marijuana

◊ Penalty - Life imprisonment and fine ranging from Php 400,000.00 to Php 500,000.00

◊ If the quantity of shabu is ten (10) grams but not more than 50 grams

◊ Penalty - Imprisonment of 20 years and 1 day to life imprisonment and fine ranging from Php 400,000.00 to Php 500,000.00

◊ If 5 grams or more but less than 10 grams of any Dangerous Drugs

◊ 300 grams or more of marijuana but less than 500 grams

◊ Penalty- imprisonment of 12 years and 1 day to 20 years and a fine ranging from Php 300,000.00 to Php 400,000.00

◊ If the quantity of dangerous drugs are less than 5 grams.

◊ If the quantity of Marijuana is less than 300 grams.

SECTION 12. POSSESSION OF THE EQUIPMENT, INSTRUMENT OR APPARATUS AND OTHER PARAPHERNALIA FOR DANGEROUS DRUGS

◻ Penalty - imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00)

◻ The possession of such equipment, instrument, apparatus and other paraphernalia fit or intended for any of the purposes enumerated in the preceding paragraph shall be *prima facie* evidence that the possessor has smoked, consumed, administered to himself/herself, injected, ingested or used a dangerous drug and shall be presumed to have violated Section 15 of this Act.

SECTION 15. USE OF DANGEROUS DRUGS

◻ A person apprehended or arrested, who is found to be positive for use of any dangerous drug, after a confirmatory test, shall be imposed a penalty of a minimum of six (6) months rehabilitation in a government center for the first offense.

◊ If apprehended using any dangerous drug for the second time, he/she shall suffer the penalty of imprisonment ranging from six (6) years and one (1) day to twelve (12) years and a fine ranging from Fifty thousand pesos (P50,000.00) to Two hundred thousand pesos (P200,000.00): *Provided*, That this Section shall not be applicable where the person tested is also found to have in his/her possession such quantity of any dangerous drug provided for under Section 11 of this Act, in which case the provisions stated therein shall apply.

SECTION 16. CULTIVATION OF PLANTS CLASSIFIED AS SOURCE OF DANGEROUS DRUGS

◻ Penalty - Life imprisonment and fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00)

SECTION 21. CUSTODY AND DISPOSITION OF CONFISCATED/SIEZED AND/OR SURRENDERED DANGEROUS DRUGS, PLANT SOURCES OF DANGEROUS DRUGS, CONTROLLED PRECURSOR AND ESSENTIAL CHEMICALS, INSTRUMENTS, PARAPHERNALIA AND/OR LABORATORY EQUIPMENT.

□ The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

○ The apprehending team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof;

○ Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;

○ A certification of the forensic laboratory examination results, which shall be done under oath by the forensic laboratory examiner, shall be issued within twenty-four (24) hours after the receipt of the subject item/s.

○ That a final certification shall be issued on the completed forensic laboratory examination on the same within the next twenty-four (24) hours

○ After the filing of the criminal case, the Court shall, within seventy-two (72) hours, conduct an ocular inspection of the confiscated, seized and/or surrendered dangerous drugs, and controlled precursors and essential chemicals, including the instruments/paraphernalia and/or laboratory equipment, and through the PDEA shall:

Within twenty-four (24) hours thereafter proceed with the destruction or burning of the same, in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the DOJ, civil society groups and any elected public official

SECTION 38. LABORATORY EXAMINATION OR TEST ON APPREHENDED / ARRESTED OFFENDERS

□ Any person apprehended or arrested for violating the this Act shall be subjected to screening laboratory examination or test within twenty-four (24) hours, if the apprehending or arresting officer has reasonable ground to believe that the person apprehended or arrested, on account of physical signs or symptoms or other visible or outward manifestation, is under the influence of dangerous drugs.

□ If found to be positive, the results of the screening laboratory examination or test shall be challenged within fifteen (15) days after receipt of the result through a confirmatory test conducted in any accredited analytical laboratory equipment with a gas chromatograph/mass spectrometry equipment or some such modern and accepted method, if confirmed the same, shall be *prima facie* evidence that such person has used dangerous drugs, which is without prejudice for the prosecution for other violations of the provisions of this Act: *Provided*, That a positive screening laboratory test must be confirmed for it to be valid in a court of law

DANGEROUS DRUGS BOARD

It shall be composed of 17 members wherein

+ 3 of which are permanent members,

+ 12 members shall be ex- officio capacity and

◊ Secretary of the following Department

DOJ , DOF, DOH, DND, DOLE, DepEd, DILG, DFA, DSWD

◊ Chairman CHED, NYC

◊ Dir. General of PDEA

+ 2 regular members.

◊ President of Integrated Bar of the Philippines

◊ Chairman or President of a non- government organization involved in dangerous drug campaign to be appointed by the President.

◊ The Director of NBI and Chief PNP shall be the permanent consultant of the DDB.

JURISDICTION OVER DANGEROUS DRUG CASES

◊ The Supreme Court shall designate special courts from among the existing RTC in each judicial region to exclusively try and hear cases involving violation of RA 9165.

◊ The DOJ shall designate special prosecutors to exclusively handle cases involving violation of RA 9165.

DEFINITION OF TERMS

DRUG ADDICTIONS – A state of periodic or chronic (continuous) intoxication (drunk) detrimental to individual and to the society produced by the repeated consumption of drugs (WHO)

CHEMICALS – Is any substance taken into the body, which alters the way, the mind and the bodywork.

CHEMICAL ABUSE – Is an instance when the use of a chemical has produced a negative or harmful consequence.

TREATMENT – Is a medical service rendered to a client for the effective management of hit total conditions related to drug abuse. It deals with the physiological without abusing drugs.

REHABILITATION – Is a dynamic process directed towards the changes on the health of the person to prepare him from his fullest life potentials and capabilities, and making him law-abiding and productive member of the community without abusing drugs.

ENABLING – Is any action taken by a concerned person that removes or softens the negative effect or harmful consequences of drug use upon the user. Enabling only makes thing worse. It is like fighting fire with gasoline.

POLYDRUG ABUSE – Many people who abuse on drug tend to take all sorts of drugs. Some play chemical “Russian roulettes” by taking everything including unidentified pills. This is called polydrug abuse.

DRUG EXPERIMENTER – One who illegally, wrongfully, or improperly uses any narcotics substances, marijuana or dangerous drugs as defined not more than a few times for reasons or curiosity, peer pressure or other similar reasons.

DRUG SYNDICATE – It is a network of evil. It is operated and manned by willful criminals who knowingly traffic in human lives for the money. Large sum of money, they can make in their illegal and nefarious trade. The set results of their commerce are physical and mental cripples, ruined lives, and even agonizing death.

WITHDRAWAL PERIOD – From the point of habituation or drug dependence up to the time a drug dependent is totally or gradually deprived of the drug.

TOLERANCE – It is the increasing dosage of drugs to maintain the same effect. This is dependent is totally or amphetamines, barbiturates, opiates and solvents.

DRUG DEPENDENCE – A state of psychic or physical dependence, or both on dangerous drugs, arising in a person following administration or use of a drug on a periodic or continuous basis.

PHYSICALDEPENDENCE – An adaptive state caused by repeated drug use that reveals itself by development of intense physical symptoms when the drug is stopped (withdrawal syndrome).

PSYCHOLOGICALDEPENDENCE – An attachment to drug use which arises from a drug ability to satisfy some emotional or personality need of an individual. (Physical dependence not required but it does not seem to reinforce psychological dependence)

MARIJUANA – Obtained from an Indian hemp plant known as “Cannabis Sativa” a strong, handy ,annual shrub which grows wild in temperature and tropic regions.

TETRAHYDROCANNABINOL – (THC) It is the psychoactive agent of marijuana. The more THC present in marijuana, the more potent is the drug. It is also known as the “siniter element” in marijuana. This is what causes the “high lift” or “trip” in marijuana users.

HASHISH – It is the dark brown resin that is collected from the tops of potent Cannabis Sativa. It is at least five times stronger than crude marijuana. Since it is stronger, the effect on the user is more intense, and the possibility of side effects is greater. Placing the crude plant material in a solvent makes it. The plant material is then filtered out and the solvent is removed, yielding a gummy, resinous substance.

NARCOTICS – Is any drug that produces sleep or stupor and relieves pain due to its depressant effect on the central nervous system. A term narcotic comes from the Greek word for sleep “Narkotikos”

OPIUM – Obtained from a female poppy plant known as “Papaver Somniferum”. It comes from the Greek word which means “juice”. It is the original components of Morphine and Heroin.

MORPHINE – It is the second extraction from opium, six times stronger. It was named after Morpheus the Greek god of dreams stimulating effects.

HEROIN – It is the third derivative extracted and the most powerful. It has no medical use because of the high rate of addiction. This is the most potent of opium derivatives, five times stronger than morphine.

SHABU – It is Japanese form of drug abuse. It is an amphetamine type of stimulant whose chemical use name is Methamphetamine. This stimulant was originally known as “Kakuseizai” is the Japanese word for waking “Zai” the term for drugs. The stimulant started in Japan immediately after the end of the Pacific War and brought into the Philippines by Japanese tourist.

COCAINE – It is an alkaloid contained in the leaves of “Erythoxylon coca” a hardy plant cultivated in Bolivia. The first user of coca leaf were the Incas of Peru. It is a stimulant. A powerful natural stimulant known to man. Cocaine acts immediately. It is a quick acting drug. Its effects are rapid from the time of intake. It is indeed “super-speed”.

CODEINE – Is another opium alkaloid, the second to be developed after Morphine. It is used as a painkiller, but more as a cough reliever.