

**CASES OF VIOLATION OF REPUBLIC ACT NO. 9165
(COMPREHENSIVE/DANGEROUS DRUG ACT OF 2002) IN THE PROVINCE OF GUIMARAS**

Jo Ann T. Gerada

ABSTRACT

The problem of illegal drugs in the Philippines continues to pose a significant threat to national security. Republic Act No. 9165 otherwise known as the "Comprehensive Dangerous Drugs Act of 2002 enacted into law in June 2002, laid down an extensive legal framework for drug enforcement in the Philippines. The law imposes stiffer penalties for drug related crimes and allows for more concrete courses of action for the national anti-drug campaign. The study was conducted to determine the cases of violation of R.A. 9165 in the Province of Guimaras in the year 2006 to 2012. Specifically, determine the profile of the offenders in terms of age, sex, and civil status; how many cases of RA 9165 in the Province of Guimaras were recorded in the year 2006 to 2012; which Municipality have the highest and lowest number of case related to RA 9165; the kinds of illegal drugs confiscated from the offenders; and determine the number of cases filed related to RA 9165 file by different municipal police station from 2006 to 2012. The study utilizes descriptive research. Secondary data was used Guimaras Police Provincial Office in the year 2006 to 2012 about cases of RA 9165. Data was analyzed using statistical tools such as frequency count, percent and mean. Most of the respondents have ages ranging from 18-26 years old majorities were male and single. As to cases of RA 9165 most of the offenders came from the municipality of Buenavista and no offenders was recorded in the municipality of San Lorenzo in the Year 2006-2012. There were only two kinds of illegal drugs such as marijuana and shabu that were confiscated from the offenders. RA 9165 case were found out highest in the year 2010 and lowest in the year 2012. All cases were filed and are now on trial.

Keywords: cases, violation, RA 9165, descriptive, Guimaras

INTRODUCTION

Background of the study

One of the most persistent and pernicious problems facing today's societies across the globe is the illegal drug menace (Canete et. al., 2010). The problem of drug addiction appears to be difficult to prevent since it has become a severe social problem most especially on our most precious resources, the youth. Furthermore, it is widespread not only among youngsters but also among men and women in different social strata. The World Health Organization replaced the term drug "addiction" to drug "dependence" because it ruins one's life and breaks down the physical, intellectual and moral character of an individual leading to criminality and even to suicide.

This drug menace has evoked action, not just on the part of the government but also in society itself. Despite the knowledge of the potential dangers of drug abuse, more and more people, especially the young are being drawn into the whirlpool of its illicit use.

The problem of illegal drugs in the Philippines continues to pose a significant threat to national security. On January 2009, President Gloria Macapagal-Arroyo directed law enforcement agencies to wage a fiercer war against illegal drugs. The primary drug in the Philippines is Methamphetamine Hydrochloride, followed by Marijuana, Cocaine and Ecstasy. The Dangerous Drugs Board (DDB) estimated that there are 6.7 million drug users in a survey in 2004-06.

To further compound illegal drug problems, West African Drugs Syndicates (WADS) continue to persist in establishing operations in the Philippines. They recruit Filipinos, especially Overseas Filipino Workers (OFWs) to smuggle cocaine and heroin in and out of the country.

Republic Act No. 9165 otherwise known as the "Comprehensive Dangerous Drugs Act of 2002 enacted into law in June 2002, laid down an extensive legal framework for drug enforcement in the Philippines. The law imposes stiffer penalties for drug related crimes and allows for more concrete courses of action for the national anti-drug campaign. The law mandates drug abuse education in schools, the establishment of Provincial Drug Education Centers, development of drug free workplace programs and other demand reduction strategies.

Surprisingly news and flash reports almost every day on television, radios, and newspapers nationwide includes cases in related with the presence of illegal drugs despite the creation and implementation of RA 9165.

This study was conducted to determine the cases of violation of Republic Act 9165 (R.A. 9165) in the Province of Guimaras in the year 2006 to 2012.

Statement of the problem

The study was conducted to determine the cases of violation of R.A. 9165 in the Province of Guimaras in the year 2006 to 2012. Specifically,

1. determine the profile of the offenders in terms of age, sex, and civil status.
2. determine how many cases of RA 9165 in the Province of Guimaras were recorded in the year 2006 to 2012.
3. determine which Municipality have the highest and lowest number of case related to RA 9165.
4. determine the kinds of illegal drugs confiscated from the offenders.
5. determine the number of cases filed related to RA 9165 file by different municipal police station from 2006 to 2012.

METHODOLOGY

The study utilizes descriptive research. The study was conducted in the province of Guimaras composed of five municipality Buenavista, Jordan, San. Lorenzo, Nueva Valencia and Sibunag. Secondary data from the Guimaras Police Provincial Office (GPPO) in the year 2006 to 2012 about cases of RA 9165 was used. Data was analyzed using appropriate statistical tools such as frequency count, percent and mean.

RESULTS AND DISCUSSIONS

Profile of the Offenders

Table 1 presents the profile of the offenders in terms of age. Results revealed that out of the 32 offenders, there were 13 offenders or 40.62% belong to age bracket 18-26, 10 or 31.25% belong to age bracket 27-35, 5 or 15.63% belong to age bracket 36-43, 3 or 9.38% belong to age bracket 44-52 and 1 or 3.12% belong to age bracket 53-62.

Table 1. Profile of the offenders in terms of age

Age	f	%
18-26	13	40.62
27-35	10	31.25
36-43	5	15.63

44-52	3	9.38
53-62	1	3.12
Total	32	100.00

Table 2 presents the profile of the offenders in terms of sex. Results revealed that male has the highest number of recorded drug related activities with a total of 29 out of 32 offenders which is 90.63% while female has the lowest number of recorded drug related activities with a total of 3 only which is only 9.37%.

Table 2. Profile of the offenders in terms of sex and civil status

Sex	f	%
Male	29	90.63
Female	3	9.37
Total	32	100

Table 3 presents the profile of the offenders in terms of civil status. In terms of civil status, results revealed that single has the highest number of recorded drug related activities with a total of 18 out of 32 offenders which is 56.25% while married has the lowest number of recorded drug related drug activities with a total only of 14 which is only 43.75%.

Table 3. Profile of the offenders in terms of civil status

Civil Status	f	%
Single	18	56.25
Married	14	43.75
Total	32	100

Number of Cases of RA 9165 Recorded in the Year 2006-2012

Table 4 presents the number of cases of RA 9165 recorded in the year 2006-2012 covering the five (5) Municipalities of Guimaras. Results revealed that out of 32 offenders, there were 25 or 78.13% offenders came from the municipality of Buenavista, 4 or 12.5% from municipality of Jordan, 2 or 6.25% from municipality of Nueva Valencia, and 1 or 3.12 from from municipality San Lorenzo. No offender was recorded in the municipality of Sibunag.

Table 4. Number of cases of RA 9165 Recorded in the Year 2006 to 2012 per Municipality.

Year	Buenavista	Jordan	Nueva Valencia	Sibunag	San Lorenzo	Total
2006	3	0	0	0	0	3
2007	2	0	1	0	0	3
2008	7	1	0	0	0	8
2009	2	0	1	0	0	3
2010	7	1	0	0	1	9
2011	3	2	0	0	0	5
2012	1	0	0	0	0	1
Total	25	4	2	0	1	32
%	78.13	12.5	6.25	0	3.12	100

Kinds of Illegal Drugs Confiscated from the Offenders

Table 5 presents the kind of illegal drugs confiscated from the offenders in the year 2006-2012. It was found out that there were only two kinds of illegal drugs that were confiscated such as marijuana and shabu. A total of 19 or 59% are marijuana and 13 or 41% are methamphetamine hydrochloride (shabu).

Table 5. Kinds of illegal drugs confiscated from the offenders

Year	Marijuana	Shabu	Total
2006	3	0	3
2007	2	1	3
2008	5	3	8
2009	2	1	3
2010	7	2	9
2011	0	5	5
2012	0	1	1
Total	19	13	32
%	59	41	100

Number of Cases Filed Related to RA 9165

Table 6 presents the number of cases that are dismissed, pending and convicted in the court in year 2006-2012. Results revealed that all cases filed within the year 2006-2012 are pending or on trial.

Table 6. Number of cases filed related to RA 9165

Year	Dismissed	Pending	Convicted	Total
2006	0	3	0	3
2007	0	3	0	3
2008	0	8	0	8
2009	0	3	0	3
2010	0	9	0	9
2011	0	5	0	5
2012	0	1	0	1
Total	0	32	0	32
%	0	100	0	100

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Based on the result of findings of the study, the following conclusions were made:

1. Most of the respondents have ages ranging from 18-26 years old, majorities were male and single.
2. As to cases of RA 9165, most of the offenders came from the municipality of Buenavista and no offenders was recorded in the municipality of San Lorenzo in the Year 2006-2012.
3. There were only two kinds of illegal drugs such as marijuana and shabu that were confiscated from the offenders.
4. RA 9165 case was found out highest in the year 2010 and lowest in the year 2012.
5. All cases were filed and are now on trial.

Recommendations

Based on the foregoing conclusions the following measures are recommended:

1. Local government must allocate a substantial budget for rehabilitation, enforcement and implementation of the programs related to drug prevention campaign.
2. Local government of respective municipality must conduct studies, program monitoring and evaluations and other researches on drug prevention, control and enforcement.
3. Information, seminar and forum must be conducted in the province regarding the prevention of drug abuse.

REFERENCES

Aquino, David Robert C. R. A. No. 9165. (2007). The Comprehensive Dangerous Drugs Act of 2002, Annotated. Quezon City: Central. Book Supply, Inc.

Canete, Antoniet, et. al. (2010). Drug Education and Vice Control. Quezon City: Wiseman's Books Trading Inc.

Manwong, Rommel K. (2002) Drug Education and Vice Control, Baguio City: Valencia Education Supply.

Millington and Mark Sutherland Williams. (2007). The Proceeds of Crime: Law and Practice of Restraint, Confiscation, Condemnation, and Forfeiture by Trevor; Oxford University Press, USA; 2nd Edition.

Reyes, Luis B. (2006). The Revised Penal Code. Criminal Law (6th Ed.). Manila: Rex Printing Company, Inc.

Walker, Samuel. (2007). Sense and Non-Sense about Crime and Drugs (6th Ed.). Singapore: Thomson Learning Asia.

Zulueta, Francisco M. and Liwag, Dolores B. (2001) Social Problems and Issues in the Philippines. Manila: Navota Press,.

Pillora, Kert D. "Offenders Profile and Crime Incidence in the Municipality of Buenavista, Guimaras". Master's Thesis, Bago City College.

Clinton, Paul et. al. May 2001. "Police, The Law Enforcement Magazines", A Bobit Publication. Vol. 35. No. 5.

Devenly, James et. al. May/June 2001. "Police and Security News", Day's Communication, Inc. Vol. 27. Issue 3.

Keizer, Kees, Lindenberg, Siegwart and Steg, Linda. "The Spreading of Disorder", Published Online 20 November 2008, Science 12 December 2008: Vol. 322 no. 5908 pp. 1681-1685 DOI: 10.1126/science.1161405.

Montaner J HAART as prevention for injecting drug users. Eighteenth International

AIDS Conference, Vienna, abstract TUSY0904, 2010/ <http://www.aidsmap.com/New-studies-strengthen-evidence-that-drug-addiction>. Retrieved October 2012.

O'Brien C Substance Abuse Treatment Is HIV Prevention. Eighteenth International AIDS Conference, Vienna, Abstract TUSY0903, 2010/ [Http://www.aidsmap.com/New-Studies-Strengthen-Evidence-That-Drug-Addiction](http://www.aidsmap.com/New-Studies-Strengthen-Evidence-That-Drug-Addiction), Retrieved October 2012.

Progress Report On The Actions Taken By Thephilippine Government To Combat Illegal Drugs Asean Inter-Parliamentary Assembly (Aipa) Fact Finding Committee (Aifocom) 7th Meeting, Ho Chi Minh, Republic Of Vietnam, April 22-25, 2010, Retrieved January 2014.

Shrestha, Rajeev, et. al. Case Studies Of Hospitalized Patients Due To Drug Related Complications, Kathmandu, Nepal, Retrieved January 2014.

Philippine National Police Manual, 2010.

<http://www.thefreedictionary.com/violation>, Retrieved February 2014.

<http://dictionary.reference.com/browse/cases>, Retrieved February 2014.

<http://www.merriam-webster.com/dictionary/rampant>, Retrieved February 2014.

<http://ardictionary.com/Instrument/5243>, Retrieved February 2014.

<http://www.scribd.com/doc/6771337/Drug-Addiction-Main>, Retrieved February 2014.