



Issues and Challenges Affecting the Conduct of Criminal Investigation Procedure

Edwin Riambon¹; Janus Dayag¹; Brooks Mangwag¹; Rey PJ Canaya¹; Darin Jan Tindowen²

¹ Department of Criminology, School of Education, Arts, Criminology and Psychology, University of Saint Louis
Tuguegarao, Philippines

² University Research and Innovation Office, University of Saint Louis Tuguegarao, Philippines

E-mail: uriodirector@usl.edu.ph

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Abstract

Efficient gathering and storage of evidence are essential components of criminal investigations. Evidence that is handled properly is guaranteed to be admissible in court and incorporates the judicial system's integrity. The evidence gathered and the methods used in the investigation can significantly impact the strength of the case and, ultimately, the prosecution's decision to proceed with the case. In some cases, and hidden issues from the public, investigators face fears from their superiors and politicians. They receive threats and intimidation, which adversely affects the investigation. They hesitate to voice out this perennial problem to protect themselves and their families. This study is a qualitative attempt to determine the issues and challenges experienced by the investigators in conducting criminal investigations as well as the factors that lead to the occurrence of these issues and challenges in connection with the compliance of investigators within the framework of criminal investigation procedure in a certain district in Northern Philippines. The findings of this study show the issues and challenges experienced by the police investigator in conducting criminal investigation procedures. The investigators face many issues and challenges: failure to collect and preserve evidence properly, disruption during crime scene investigation, witness cooperation, fear and intimidation of the witness, intimidation by higher officials affecting the investigation, and observance of the regulatory period. The credibility of the criminal investigation procedure is significant in criminal investigations; it is the basis on which the judge decides whether to continue the trial or dismiss the case. The findings show that some investigators are facing this kind of issue, which leads to the dismissal of the case they filed.

Keywords: *Criminal Investigation Procedure; Investigation; Evidence; Police Investigator*

Introduction

Modern investigators have substantially extended their capabilities to solve crimes through forensic methods and processes. Scientific thinking underpins crime scene investigation. This indicates

that examining the crime scene is systematic, methodical, and rational. It begins with the initial response to a crime scene and progresses through scene security, crime scene documentation, recognition of physical evidence, pattern enhancement, physical evidence collection, packaging, and preservation, physical evidence examination, crime scene analysis, and profile, and finally concludes at the crime scene reconstruction. (Lee et al., 2013). Investigators should follow the correct procedures to process a murder scene in order to correctly recognise physical evidence, document its locality through sketches and photographs, gather it, and mark and package it. Crime scene investigators should maintain the chain of custody during all stages of handling the evidence (Jobela, 2019). The application of forensic science in criminal justice and the legal system is an invaluable method. Forensic science is like a piece without which the puzzle of a criminal investigation cannot be resolved (Benter et al., 2021). Finding out the details of a criminal occurrence and locating the relevant culprits are the objectives of the procedure known as a crime scene investigation. The Locard's Exchange Principle is the main tenet of this procedure. This idea states that a physical element is added to and subtracted from the surroundings whenever a person enters or leaves a space. Consequently, properly documenting the circumstances at a crime scene and identifying any pertinent physical evidence are the major tasks of a crime scene investigation. Generally speaking, the gathered traces can aid in two major objectives: connecting suspects to the crime scene by identifying evidence like blood, bodily fluids, and fingerprints and comprehending the activities that occurred during the criminal act by locating evidence like a broken window or shoe prints. Several theories regarding who might have committed the crime and how the event unfolded are developed during an investigation; gathering traces allows the various hypotheses to be validated or disproved (Acampora et al., 2023).

Over the years, violent act and murder became a serious public issue that ruins the well-being of the community and the entire country (Kamaluddin et al., 2021; Tilhonen et al., 2015; Grinshteyn & Hemenway, 2019). The act of killing per se is an unlawful homicide with malice aforethought. In the corpus of criminal jurisprudence, all physical act (*actus reus*) of the criminal must be coupled with the intent or evil mind (*mens rea*) to charge him with the said crime, and the same procedure applies to murder offense (*actus reus non facit reum nisi mens sit rea*). Death due to the deliberate act of the perpetrator and intention to do the act are the two crucial factors as required by the law. To convict a person for murder offense, it is germane for the prosecution to establish that an injury is present, nature of such injury need to be proved, the existence of intention to inflict that particular injury it should be not accidental or unintentional, and lastly, such injury type is enough to cause death in the ordinary course of nature. The proper photographing and exact measuring of crime scene is a fundamental aspect of crime investigation. Students present in schools and those new police officers undertaking their first days of crime scene training will learn that the accurate and reliable mapping of evidence and the surrounding environment can be of paramount importance throughout an investigation. Doing so unprecisely can lead to inadmissibility of evidence and the reliability of the evidence can be questioned (Raneri et al., 2017).

Even though there has been a decrease in violent crime in the past years, at this present, we are starting to experience a rise in heinous crime, internet crime, and property crime (Tcherni et al., 2016; Anderson et al., 2019). With these few resources available, police departments must think of new innovative ways to conduct crime investigations that provides results without compromising the result of investigation. A tactical criminal investigation is a plan created to achieve a particular goal in the conduct of a criminal investigation (Reyes, 2017). Tactics is the art or skill of employing available material to accomplish an end. Police departments should re-evaluate the role of the investigators with respect to the needs and effectiveness of their work (Webster, 2016). Police stations that perform investigations tactically are more effective in providing a conclusion rather than those using old strategies that are less effective. The same evidence may be valuable to one person but worthless to another. Different people examining at the same evidence may derive into different conclusions from it because every person have different way of thinking (Chen, 2014).

Crime scene processing and investigation are major parts of the criminal investigation process. In this sense, each police station needs to acquire investigative tools. Hence, a set of instruments and competencies used by investigators to compile data to solve crimes are known as investigative tools and procedures. Moreover, investigative tools are equipment and software that investigators utilize to learn more about a subject, an occasion, or a scene (Ashby, 2017). As innovation of technology increased, criminals also adopt a new way of performing crime more quickly and innovatively, especially the use of internet (Mackey & Nayyar, 2017; Stratton et al., 2017). Law enforcement agencies frequently use them to acquire more proof to solve a crime. These days, anyone can function as an investigator to examine and record occurrences because of the increased accessibility of the investigative instruments utilized by law enforcement (Berlusconi et al., 2016; Hess et al., 2016). In the Philippines, investigative tools are mandated as stipulated by the Philippine National Police Manual on Criminal Investigation (Pascua, 2018).

However, it has been stressed that some police who process crime scenes may not be knowledgeable with the latest tactics in crime scene processing or have limited resources; this may lead in to mishandling of evidence or loss of precious evidence material (Mateen et al., 2019). In some countries where corruption is present, there is a limited resources and it is not accessible to the public, the Philippines faces many challenges in applying the use of forensic science to know the identity of the perpetrator, to identify officers who put the law in their hands, and to determine whether the conduct of drug raids and/or u arrests. In addition, there is a need to conduct studies concerning the compliance of police stations with investigative tools and technologies, especially since there is a dearth of literature about this topic (Tayal et al., 2015; Hess et al., 2016; Piza et al., 2019). According to Geberth (2020), there is an issue with regard to the use of investigative tools because of concerns in complying with legal and ethical standards. Meanwhile, there is also an emerging police misconduct and reform that includes the use of investigative tools by police and the challenges they face in complying with legal and ethical standards (Moser & Kalton, 2017).

With the different gaps presented, it is important to determine the compliance of the different investigators with the criminal investigation procedure, such as in the 3rd district of Cagayan, Northern Philippines. At present, there are 18 Police Stations in the 3rd district of Cagayan. This includes all types of police stations (PNP PRO2, 2023). The Police Regional Office 2 (PRO2) has recorded a 70 percent increase in crime incidents after the Luzon-wide Enhanced Community Quarantine in Cagayan Valley. During the Regional Peace and Order Council (RPOC) meeting, the Regional Operations and Management Division reported that they recorded 4,917 crime incidents from May 1 to August 31, 2020, compared to the lower number of 2,829 from the same period. Cagayan province has registered the highest number of crime incidents with 1,942, followed by Isabela with 1,832, Nueva Vizcaya with 779, Quirino-77, and Batanes with 13 cases. Of the total crime incidents, the non-index crimes have the highest with 3,854, due to the implementation of the special laws related to the Corona Virus Disease (2019) pandemic, while there are only 312 index crimes. In addition, for the index crimes, rape cases registered the highest with 114, followed by physical injuries with 65, theft-44, murder-33, robbery-28, homicide-15, and carnapping with 13 cases. According to data obtained from the RTC's executive branch (branch 5), between 60% and 70% of criminal cases that were tried and decided resulted in an acquittal. In addition to the data we collected, we also spoke with a court employee who oversees the criminal docket for branch five, the executive branch. According to the acting criminal case clerk, cases are being acquired for the following reasons: improper management of evidence; witness credibility; inability to identify the corpus delicti (body of crime); disregard for the criminal investigation protocol; failure to establish the accused's guilt; and the inability of the apprehending officers to demonstrate that their arrests were lawful without a warrant (Jove, 2023). Hence, this study was conducted.

Method

This study used a basic qualitative research design by Merriam and Tisdell (2016) to achieve its objectives. The informants of the study were the 21 investigators from the investigating team of the seven (7) police stations in a certain legislative district in the province of Cagayan, Northern Philippines.

The researchers used open-ended questions through a self-made interview to obtain the data. The researchers asked four pre-determined open-ended questions during the interview. Through this method, the researchers could look deeper into the issues and challenges experienced by the police investigators. Before data gathering, the interview questions underwent expert validation and judgment to ensure their reliability and validity in the study.

The interview transcripts are analyzed using the three aspects of data analysis: description, analysis, and interpretation (Reeves et al., 2013). Firstly, the description aspect treated the extracted data as fact. The transcription was translated into a simpler sentence while retaining the data's thought and essence. The data was recounted and described in a well-defined body of facts. Each piece of data was labeled according to the question number and the informant number. Secondly, the analysis has processed the facts based on their recurring thoughts and essence across all data points. These data groups have undergone comparison and contrast to determine their similarities and differences to create general themes. Thirdly, the interpretation aspect analyzed the themes and developed a general understanding of investigators' issues and challenges during crime scene processing. A descriptive analysis was utilized to determine the status of dismissed cases regarding the violation of the criminal investigation procedure. In contrast, the factors affecting the criminal investigation procedure have been analyzed using thematic analysis and the issues and challenges experienced by the investigators.

To ensure rigor, the researchers contacted the informants once the findings had been collected and assessed. The researchers described the study's findings and how they benefit the PNP in terms of criminal investigative procedures. The researchers also created a duplicate for distribution to the community to prove that the result was based on what the informants stated during the interview. Eligible informants were asked to provide informed consent. Only the researchers and research adviser will have access to the interview transcript.

Given the sensitivity of the informants' profiles, the researchers will devise approach tactics to ensure that all documents to be signed, questions to be asked, and research to be done are correctly presented in a language they are most comfortable with. All papers, questions, and manuscripts will be checked and reviewed by the research adviser to verify the sensitivity and authenticity of all materials to be used. They will be granted consent that is well-structured and well-explained. A systematic orientation will also be given to familiarize participants with the goals, objectives, and research they will participate in. The researchers will ensure that no coercion or coerced involvement occurs. The researchers will maintain the respondents' privacy, and only the relevant data will be collected and analyzed.

Results and Discussion

The outcome of this research study is the qualitative exploration of the dismissed cases within the framework of the criminal investigation procedure. At this juncture, after a thorough review of the data from the informants through the interview transcript, pieces of information with similar ideas were clustered into themes.

Theme 1: Issues and Challenges Affecting the Compliance of the Investigators

Efficient gathering and storage of evidence are essential components of criminal investigations. Evidence that is handled properly is guaranteed to be admissible in court and incorporates the judicial system's integrity. Some of them stated how important it is to follow the proper procedure in collecting pieces of evidence. The evidence gathered and the methods used in the investigation can significantly impact the strength of the case and, ultimately, the prosecution's decision to proceed with the case. The study's result is similar to that of the study conducted by Kothari (2023), in which the Indian criminal justice system faces several challenges that affect the quality and reliability of forensic evidence. These challenges include outdated forensic infrastructure, limited standardization and accreditation of forensic laboratories, lack of comprehensive forensic training programs for law enforcement personnel, and the absence of clear guidelines for collecting, preserving, and analyzing forensic evidence. These issues can lead to the mishandling of evidence, contamination, and unreliable results, which may adversely affect the outcome of criminal cases and lead to miscarriages of justice. In addition, Flom (2020) stressed that relevance is the first area of concern. Evidence must be pertinent to the fact at hand to be admitted. Most forensic science and medical evidence are rarely considered during the normal course of proceedings. Rather, the fundamental question of whether opinions are actually expert is usually ignored by an accommodating tradition and the specific rules used to evaluate admittance and thus compelling, where it is possible to judge the value of techniques truly and generated opinions. Interestingly, in formal evaluation, such as rigorous competence testing or validation studies, prosecutors, judges, and defense attorneys appear satisfied to presume that incriminating opinions are credible based on prior legal experience, expert impressions, or other relevant factors.

1.1. Handling of Evidence

Efficient gathering and storage of evidence are essential components of criminal investigations. Handled properly evidence is guaranteed to be admissible in court and incorporates the judicial system's integrity. Some of them stated how important it is to follow the proper procedure in collecting pieces of evidence.

1.2. Chain of Custody

Criminal investigation procedure is critical because it will be the basis for determining whether the case will prosper or if the evidence gathered is reliable and strong enough to prove the guilt of a person involved. It will be a significant factor in getting justice. Criminal investigation activities should aim at two distinct goals. The first is the promotion of justice. The second goal is to reduce criminal activity. Solving crimes is a method to both ends. However, the research shows that solving more crimes has a limited potential for achieving either outcome. We contend that criminal investigations should concentrate on the quality of investigations by seeking to eliminate errors and organize investigation units toward both prevention and the resolution of crime (Demir, 2018).

POLICE10: "Criminal procedure in conducting crime investigation is very important in the field of investigation and police investigators are sometimes disregarding the proper procedures due to some practical reasons. Hence, it is the process of crime investigation."

POLICE13: "Evidence identification and prosecution-communicate and coordinate-Before collecting evidences, investigators must be developing a theory regarding the type of offense that occurred."

1.3. Interviewing of Witness

Witness cooperation can be influenced by the level of protection and security offered to them. If witnesses fear retaliation or harm, they may be hesitant to cooperate. Witness protection programs are

sometimes implemented to ensure the safety of those who come forward. Cooperation from witnesses is essential for obtaining information, establishing a case, and guaranteeing a fair and comprehensive judicial procedure.

POLICE02: The reasons and influences behind these issues and challenges can vary. For example, witness cooperation may be hindered by fear or distrust. Physical evidence may be difficult to obtain due to various factors such as the location of the crime or the nature of the evidence itself, and false information may be provided for a variety of reasons, including mistaken identity or unknown motives

POLICE11: Fear of the witnesses to cooperate and give the statement during the investigation.

Witnesses maybe reluctant to come forward due to fear of retaliation or other safety concerns. Intimidation of witnesses can impede the collection of critical information and the cooperation of those with relevant knowledge.

POLICE12: "Witnesses are afraid to witness/testify in court."

They stated that being a witness is very risky and crucial, so some witnesses are afraid to testify due to fear of retaliation or other safety concerns. The investigation's advancement would be easier and faster if someone would testify as a witness or someone opts to give pieces of information. However, they fear that the other party might retaliate and do not want to risk themselves and their families. Witness cooperation is crucial in order for a successful investigation and prosecution of crimes. Numerous criminal justice systems are having difficulties in acquiring the cooperation of witnesses because of perceived or actual intimidation or threats against them or their family members (Go & De Ungia, 2019). Cook and Kang (2016) found that majority if the evidence comes from witnesses, informants, and people confessing crimes. In the absence of random placement, witnesses or those closed to them face a greater chance of experiencing danger at the hands of a defendant's associate (Davis, 2019). If witnesses are guaranteed that they will receive sufficient and proper protection and assistance, they are more likely to assist the criminal justice system in apprehending criminals.

Theme 2: Factors Affecting the Investigation Outcome

2.1. Alteration of Evidence

The impact of evidence collecting and preservation in the conclusion of an inquiry cannot be overstated. Properly collected and stored evidence is critical for developing a compelling case, guaranteeing justice, and gaining convictions in a judicial system. Evidence that is well-preserved and properly collected is more likely to be accepted by the court. The reliability of the evidence is increased by establishing a clear chain of custody and following suitable procedures.

POLICE01: "Police work, in these late years, has been facing different challenges. The demand for security because of moral panic, public expenditure cuts, the attention of media towards police, and governmental pressures have forced the police to re-draft its structures, functions, and aims deeply. For example, under neo-liberalism, the aim of productivity has colonized the police force as well. Contemporary challenges, though, cannot shun such aspects as the compliance with law and the safeguard of civil liberties."

The criminal investigation procedure, which is meant to be a foundation of policing, reflects all these contradictions and conflicts because police forces are the gatekeepers of the penal system. They must identify what constitutes a crime, detect criminal behavior, convert an investigation into a conviction, and play a crucial role in determining the overall level of crime, both in terms of detection and prosecution.

POLICE02: *“The reasons and influences behind these issues and challenges can vary. For example, witness cooperation may be hindered by fear or distrust. Physical evidence may be difficult to obtain due to various factors such as the location of the crime or the nature of the evidence itself, and false information may be provided for various reasons including mistaken identity or unknown motives.”*

Trace evidence can provide insight into the events that occurred and the possible participants. It is frequently referred to as the "silent witness" because of this. For historical and philosophical reasons, the forensic science method likewise revolves around trace evidence (Dimaano, et al., 2018). Many detectives emphasize how crucial it is to process crime scenes effectively. The legal and scientific requirements for admission of evidence in a court of law may not be met in the case of improperly documented, gathered, packaged, and maintained evidence. Its provenance may be questioned if the DNA evidence is not well documented prior to the collection. It will be questioned to cast doubt on the DNA results if it is poorly gathered or packaged. Strict contamination prevention procedures must be adhered to because of the potential for legal issues and the sensitivity of PCR techniques (Kashem, 2017).

2.1. Time Pressure

Based on the DOJ-issued guidelines for arrested persons, the reglementary period counting of the prescribed “12-18-36” periods shall be done by the hour starting from the time of detention. The suspect must be delivered to the prosecutor for inquest proceedings. Within this period, an investigator must gather all the evidence, secure the presence of the witnesses at the scene, and prepare the necessary documents for an examination in a case that needs a medical certificate that is a reference for determining the grounds of offenses. Time is crucial in criminal investigations because physical evidence can deteriorate or be altered over time. For example, biological samples might degrade, and crime scenes can be affected by weather, human action, or natural processes. Digital evidence can be lost, corrupted, or encrypted, making rapid access critical.

POLICE08: *“Time pressure.”*

During criminal investigations, time is very important to provide all necessary documents needed for filing before the office of the provincial prosecutor.

POLICE14: *“The common issues/challenges experience by an investigator is the observance of the reglementary period.”*

The crime affects the person to be delivered to the prosecutor for inquest proceeding. Within this period, an investigator must gather all the evidence, secure the presence of the witnesses at the scene, and prepare the necessary documents for an examination in a case that needs a medical certificate that is a reference for determining the grounds of offenses. The medical examination result is a vital document, sometimes there are no available physicians during holidays, that’s why there is a delay in acquiring medico-legal or the medical certificate of the victim and the perpetrator. This will ground for the delayed filing of the case, and the scene will fall through the regular filing of the case or reference of a person in custody while the case is prevailing preliminary investigation.

The Reglementary period is counting the prescribed “12-18-36” periods by the hour starting from the time of detention. The suspect must be delivered to the prosecutor for inquest proceeding. Within this period of time, an investigator must gather all the evidence, secure the presence of the witnesses for the scene, and prepare the necessary documents for an examination in a case that needs a medical certificate that proves as a reference on determining the grounds of offenses.

POLICE11: *Possible reason is time constraints.*

The need to solve the case quickly may conflict with the thoroughness required for the comprehensive investigation; rapid turn-over of cases can lead to incomplete investigation. It means poor evidence collection, but investigators need to file the case at the right time without collecting strong evidence, which could lead to poor investigation.

Many people think that the criminal justice system is competent and fair, and that juries, police, and prosecutors all rationally base their conclusions on solid evidence. Unfortunately, innocent persons are sometimes charged with crimes and found guilty, as demonstrated by organizations like The Innocence Project. In actuality, errors are made by the system. Although the exact frequency of these mistakes is unknown, estimates of false convictions range from 0.5% to 5% and more (Lilis, et al., 2016).

2.2. Intimidation and Interference

In some cases and hidden issues from the public, investigators face fears from their superiors and politicians. They receive threats and intimidation, which adversely affects the investigation. They hesitate to voice out this perennial problem to protect themselves and their families.

POLICE05: The politicians will now call us to intimidate the investigators and interrupt the investigation. However, we, the investigators on the case, always follow the proper investigation, even if the higher (officers) from the higher headquarters will interfere, because if we let ourselves be intimidated by the higher officials, we investigators will face consequences. The higher official will order us to twist the investigation and make it seem like the victim is the perpetrator. We do not want that to happen because there are pieces of documentary evidence.

POLICE07: "In reality the one factor that affects the investigation is there where higher officials that are intimidating the lower unit in conducting the investigation, gaya nung isang mataas na opisyal may kaso nakikialam sila kaya naapektuhan din ang pagimbistiga. Minsan kasi may mga higher officials na dinidiktahan yung lower unit, then the lower unit naiintimidate sila by the ranks of the higher officials." ("In reality, the one factor that affects the investigation is that higher officials are intimidating the lower unit in conducting the investigation. The second one is that many officials are meddling in investigating a case or their case. Sometimes some higher officials dictate the lower unit; then the lower units are intimidated by the ranks of the higher officials.")

Senior officers' interference has hampered the police investigation's ability to solve the crime, so it is processing information slowly. If they had only solved the early result, they could have freed up the investigators to carry out their duties without interference from superiors and been aware of the investigators' findings beforehand.

A greater number of lower-quality arrests and convictions resulted from public authorities' use of their increased policing resources on a variety of new tactics, including zero-tolerance policing, "command and control" operations, order maintenance, policing in "hot spots," saturation policing, and interventions based on the SARA (Scanning, Analysis, Response, and Assessment) model. Due to the interference of the public authorities, their orders for the police have an adverse effect in terms of arrest and conviction. In fact, the police have more knowledge of repressing criminals (Soss & Weaver, 2017). Political incumbents may curtail police independence for a variety of reasons and using varied techniques. Some politicians aim to politicize police in order to seize the profits from corruption, while others want to professionalize police forces and bring them into line with the law. This article demonstrates how politicians' grip over the police is increased when there is little political turnover and little office rotation. In contrast, cabinet fragmentation and legislature fragmentation under low turnover influence whether politicians seek to professionalize or politicize the force (Flom, 2020). The police exercise the only right to use force lawfully, which is the fundamental duty of the modern state. However, police frequently violate human rights and commit corruption in many developing democracies, frequently operating outside the authority of elected

politicians. Bureaucrats and politicians try to shift the blame for violent acts elsewhere. Flom et al., (2016). Logical reasoning and reasonable analysis are necessary for police investigations. Wrongful convictions and other forms of unsuccessful criminal investigations can occur when cognitive biases and organizational traps skew the process. (Reyes, 2017).

2.3. Victim's Cooperation

Some police investigators that need specialized investigation, specifically the Women and Children's Protection Desk (WCPD), also shared some common issues and challenges they experienced. It was revealed that they are also affected by the reglementary period when there is a regular filing.

POLICE03: "Common issues and challenges you may encounter during criminal investigations in this specialized field could include gaining the trust and cooperation of victims and witnesses, dealing with trauma and emotional distress experienced by the victims, navigating cultural or societal barriers."

It may impact reporting or seeking justice and conducting investigations in a manner that prioritizes the safety and well-being of women and children.

POLICE06: "Yes, there is a minor victim who reported to the police station that she was raped, but our procedure is that when a guardian always accompanies a minor, the victim is accompanied by his mother, father, or guardian or any person who has custody of the child, for example, the minor. Her mother reported here at the Solana police station. She reported that she was raped on the night of December 5, 7 pm. She only reported it on the morning of December 6, 7 am. Upon receiving that information, here comes the WOMEN AND CHILDREN'S PROTECTION DESK (WCPD), together with the patrol police non-commissioned officers (PNCO) and the duty driver, went to the scene of the crime and the victim pointed the suspect. Of course, you, the police, will arrest the suspect because there is a complaint against him that the victim has already been raped. Here come the arresting officers who arrested the suspects, then the basics – the Miranda right. You read him the Miranda rights and take him to the police station. Then you conduct an investigation and bring suspects no.1 medical, and if the suspect decides to file the suspects, the inquest proceeding will begin, followed by the regulatory period of 12, 18, and 36. So, for example, if the victim's complaint is rape, he will arrive within 36 hours, and you should have filed him with the prosecutor's office within that time frame, which is known as an inquest proceeding. Inquest: you have the suspects, you have arrested them, and the victim has decided to file. Now in the ordinary filing, they call because I had three cases in July, August, and September, and he had three counts. The last thing that was done to him was on September 27, and he only reported on November 21, thus our probationary term has expired. During this probationary period, you will be excused from the moment the violation occurred, regardless of how many hours, days, or months he lapsed. So, when he enters under ordinary filing, the case will be filed at the prosecutor's office, and when the prosecutor sees someone with reasonable cause, the suspect's arrest warrant will be issued, which should be within 2-3 months."

Offenders are more likely to avoid punishment and believe they can commit crimes with impunity when victims refuse to participate. (Felson & Lantz, 2016). The most heinous and widespread violation of human rights is violence against women. It transcends all barriers related to wealth, culture, or location. We cannot say that we are truly moving toward equality, development, and peace as long as it goes on (Dimaano et al., 2018). Abuse incidences declined marginally with age and education level, grew gradually with the number of living children, and consistently declined with the wealth quintile. Finally, concerning marital abuse, 23% of women who had ever been married reported having experienced emotional abuse as well as other nonpersonal violence. Eight percent of women who have ever been married have experienced sexual abuse, and one in seven have endured abuse and violence from their spouses. The prevalence of

marital violence was found to follow patterns comparable to those of women aged 15 to 49 (although it was probably more common among separated, widowed, and divorced women who were married at the time) (Cultura et al., 2017).

Conclusion

The study concludes that police investigators experience issues and challenges in conducting criminal investigation procedures in the 3rd district of Cagayan. These are failure to collect and preserve evidence properly, disruption during crime scene investigation, witness cooperation, fear and intimidation of the witness, intimidation by higher officials affecting the investigation, and observance of the reglementary period. The credibility of the criminal investigation procedure is significant in criminal investigations; it is the basis on which the judge decides whether to continue the trial or dismiss the case. This study shows that some investigators face this kind of issue, which leads to dismissing the case they filed.

References

- Acampora, G., Trinchese, P., Trinchese, R., & Vitiello, A. (2023). A Serious Mixed-Reality Game for Training Police Officers in Tagging Crime Scenes. *Applied Sciences*, 13(2), 1177.
- Ashby, M. P. (2017). The value of CCTV surveillance cameras as an investigative tool: An empirical analysis. *European Journal on Criminal Policy and Research*, 23(3), 441-459.
- Benter, J. B., & Cawi, R. D. (2021). The State of the Art of the Philippine National Police Crime Laboratory Services. *Available at SSRN 3826806*.
- Berlusconi, G., Calderoni, F., Parolini, N., Verani, M., & Piccardi, C. (2016). Link prediction in criminal networks: A tool for criminal intelligence analysis. *PloS one*, 11(4), e0154244.
- Chen, C. (2014). Subjectivity of evidence.
- Cook, P. J., & Kang, S. (2016). Birthdays, schooling, and crime: Regression-discontinuity analysis of school performance, delinquency, dropout, and crime initiation. *American Economic Journal: Applied Economics*, 8(1), 33-57.
- Cultura, A. G. L., Cabatay, K. A. P., Dale, E. C. M., & Mojares, R. E. Problems Encountered by PNP Women and Children's Desk Officers in Handling Cases of Violence Against Women.
- Davis, A. J. (2019). Reimagining prosecution: A growing progressive movement. *UCLA Criminal Justice Law Review*, 3(1).
- Demir, M. (2018). The perceived effect of a witness security program on willingness to testify. *International criminal justice review*, 28(1), 62-81.
- Dimaano, G. M., Clores, A. C., Iloco, A. M., & Javier, L. J. D. (2018). Prevalence of domestic violence against women and children in the Philippines. *Humanities and Social Science Research*, 1(2), p52-p52.
- Felson, R. B., & Lantz, B. (2016). When are victims unlikely to cooperate with the police?. *Aggressive behavior*, 42(1), 97-108.



- Flom, H. (2020). Controlling bureaucracies in weak institutional contexts: The politics of police autonomy. *Governance*, 33(3), 639-656.
- Geberth, V. J. (2020). *Practical homicide investigation: Tactics, procedures, and forensic techniques*. CRC press.
- Go, M. C., & De Ungria, M. C. A. (2019). Forensic sciences and the Philippines' war on drugs. *Forensic science international: Synergy*, 1, 288.
- Grinshteyn, E., & Hemenway, D. (2019). Violent death rates in the US compared to those of the other high-income countries, 2015. *Preventive Medicine*, 123, 20-26.
- Hess, K. M., Orthmann, C. H., & Cho, H. L. (2016). *Criminal investigation*. Cengage learning.
- Jobela, N. K. (2019). *The significance of efficient murder crime scene processing*. Pretoria: Unisa.
- Jove, J. S. (2023). Dismissed cases.
- Kamaluddin, M. R., Mahat, N. A., Mat Saat, G. A., Othman, A., Anthony, I. L., Kumar, S., ... & Ibrahim, F. (2021). The psychology of murder concealment acts. *International journal of environmental research and public health*, 18(6), 3113.
- Kashem, M. B. (2017). Issues and challenges of police investigative practices in Bangladesh: An empirical study. *Crime, Criminal Justice, and the Evolving Science of Criminology in South Asia: India, Pakistan, and Bangladesh*, 273-295.
- Kothari, P. (2023). Exploring the Role of Forensic Science in Indian Criminal Justice System. *Available at SSRN 4565177*.
- Lee, H. C., & Pagliaro, E. M. (2013). Forensic evidence and crime scene investigation. *Journal of Forensic Investigation*, 1(2), 1-5
- Lillis, D., Becker, B., O'Sullivan, T., & Scanlon, M. (2016). Current challenges and future research areas for digital forensic investigation. *arXiv preprint arXiv:1604.03850*.
- Mackey, T. K., & Nayyar, G. (2017). A review of existing and emerging digital technologies to combat the global trade in fake medicines. *Expert opinion on drug safety*, 16(5), 587-602.
- Mateen, R. M., & Tariq, A. (2019). Crime scene investigation in Pakistan: a perspective. *Forensic Science International: Synergy*, 1, 285-287.
- Moser, C. A., & Kalton, G. (2017). *Survey methods in social investigation*. Routledge.
- Pascua, J. R. (2018). The criminal investigation procedure of piat police Station: The level of awareness and compliance. *International Journal of Advanced Research in Management and Social Sciences*, 7(11), 169-192.
- Piza, E. L., Welsh, B. C., Farrington, D. P., & Thomas, A. L. (2019). CCTV surveillance for crime prevention: A 40-year systematic review with meta-analysis. *Criminology & public policy*, 18(1), 135-159.
- Raneri, D. (2018). Enhancing forensic investigation through the use of modern three-dimensional (3D) imaging technologies for crime scene reconstruction. *Australian journal of forensic sciences*, 50(6), 697-707.



- Reyes, R. (2017). Tactical criminal Investigations: understanding the dynamics to obtain the best results without compromising the investigation. *J Forensic Sci Crim Invest*, 2.
- Soss, J., & Weaver, V. (2017). Police are our government: Politics, political science, and the policing of race–class subjugated communities. *Annual Review of Political Science*, 20, 565-591.
- Stratton, G., Powell, A., & Cameron, R. (2017). Crime and justice in digital society: Towards a ‘digital criminology’?. *International Journal for Crime, Justice and Social Democracy*, 6(2), 17.
- Tayal, D. K., Jain, A., Arora, S., Agarwal, S., Gupta, T., & Tyagi, N. (2015). Crime detection and criminal identification in India using data mining techniques. *AI & society*, 30, 117-127.
- Tilhonen, J., Rautiainen, M. R., Ollila, H. M., Repo-Tiihonen, E., Virkkunen, M., Palotie, A., ... & Paunio, T. (2015). Genetic background of extreme violent behavior. *Molecular psychiatry*, 20(6), 786-792.
- Tcherni, M., Davies, A., Lopes, G., & Lizotte, A. (2016). The dark figure of online property crime: Is cyberspace hiding a crime wave?. *Justice Quarterly*, 33(5), 890-911.
- Webster (2016). <https://www.merriam-webster.com/dictionary/tactics>.

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