

LEVEL OF AWARENESS IN THE IMPLEMENTATION OF REPUBLIC ACT 7438 KNOWN AS RIGHTS OF PERSON ARRESTED, DETAINED OR UNDER CUSTODIAL INVESTIGATION IN POLICE STATION 4, NOVALICHES, QUEZON CITY

ABSTRACT

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DISCIPLINE

Criminology

KEYWORDS

*republic act 7438; custodial
investigation; police
awareness; police station 4;
detainee rights; novaliches*

ARTICLE ID

AASGBCPJMRA-BI3933

Enacted in 1992, Republic Act No. 7438 serves as a critical legal framework in the Philippines that safeguards the rights of individuals who are arrested, detained, or undergoing custodial investigation. It clearly defines the rights of these individuals, including the right to remain silent, the right to legal counsel, and the obligation of law enforcement officers to inform them of these rights. This study aimed to evaluate the level of awareness and understanding of the implementation of Republic Act 7438 among both police officers and detainees at Police Station 4 in Novaliches, Quezon City. The study involved five Police Commissioned Officers, fifteen Police Non-Commissioned Officers from the Warrant Section, and twenty detainees. Using purposive sampling, participants were selected based on specific criteria relevant to the research. A quantitative method with a descriptive research design was employed to assess the respondents' knowledge and understanding of the rights provided under Republic Act No. 7438. The researchers personally visited Police Station 4 to secure approval and distribute the survey questionnaires. After completion, the questionnaires were retrieved for data analysis. The study revealed that out of forty respondents, twelve were aged between 26 and 33, with a majority identified as college graduates and Police Non-Commissioned Officers. Additionally, fourteen respondents had over ten years of service in law enforcement. The assessment of awareness levels showed that respondents strongly agreed on the importance of informing detainees of their rights, exercising those rights, and understanding custodial investigation procedures, with overall weighted mean scores of 3.85, 3.89, and 3.75, respectively. However, a common misconception emerged, as 55% of respondents believed that all detainees are subjected to the same procedural treatment, regardless of age or legal status. To address these gaps in understanding, the researchers recommended further studies at Police Station 4, with a focus on enhancing the awareness of both law enforcement personnel and detainees regarding the provisions and proper implementation of Republic Act No. 7438. The researchers also recommended examining the effectiveness of training programs and public outreach initiatives aimed at enhancing awareness and understanding of the rights of individuals who are arrested, detained, or undergoing custodial investigation.

RECOMMENDED CITATION

Gomez, R. J., Pacalingga, G., Ramirez, J., Rosacay, G. A., & Solis, J. M. (2025). Level of Awareness in the Implementation of Republic Act 7438 Known as Rights of Person Arrested, Detained or Under Custodial Investigation in Police Station 4, Novaliches, Quezon City. *Ascendens Asia Singapore – Bestlink College of the Philippines Journal of Multidisciplinary Research Abstracts*, 7(5), 11.