

“Balancing Effective Crime Investigation and Observance of Custodial Rights: A Study of Law Enforcement Officers in the 5th District of Pangasinan”

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ABSTRACT

This study examines the balance between effective crime investigation and the observance of custodial rights within the criminal justice system. It focuses on how law enforcement officers conduct investigation while ensuring the constitutional rights of suspects are protected during arrest, detention and interrogation. The research aims to determine the challenges encountered by the investigators in maintaining investigative efficiency without violating legal and human rights standards. Specifically, it explores the level of awareness and compliance of investigators regarding custodial rights, the common issues arising during custodial investigations and the impact of rights observance on the integrity of criminal cases.

A descriptive research was utilized in this study, involving respondents from law enforcement agencies and individuals knowledgeable in criminal investigation procedures. Data were gathered through survey, interviews and related legal documents. The findings revealed that while investigators recognize the importance of custodial rights, challenges such as pressure to solve cases quickly, lack of resources and limited training sometimes affect proper compliance. The study also found that respecting custodial rights strengthens the credibility of evidence, prevents legal complications and promotes public trust in the justice system.

The study concludes that balancing crime investigation with the observance of custodial rights is essential in achieving justice and protecting individual freedoms. It recommends continuous training for investigators, stricter implementation of legal procedures and strengthened monitoring mechanisms to ensure that investigations remain lawful, ethical and effective.

INTRODUCTION

Background of the study

Custodial investigation involves the detention and questioning of a suspect by law enforcement officers. During this process, suspects are protected by Constitutional rights, including the right to remain silent, right to have a legal and competent counsel and right against torture, coercion or intimidation. These legal provisions aim to safeguard and protect the persons under custodial investigation from any abuse that may affect the integrity of the criminal justice system.

As emphasized by Lopez et al. (2021), human rights are not only legal concepts but social commitments that require consistent reinforcement through training and accountability. This perception gap could be the missing link in understanding why human rights violations continue to occur even in facilities that are formally bound by national and international obligation.

The state plays a vital role in controlling crime and maintaining law and order. With the formation of organized societies, the need for criminal law arose, and today, it is the responsibility of state agencies, particularly the police, to prevent and detect crime. Effective scientific investigation is essential to ensuring justice, as it helps in building strong cases against offenders. However, India's low conviction rates and increasing crime rates highlight shortcomings in crime detection and investigation. According to Srivastava (1997), many accused

individuals are acquitted, not due to innocence, but because of flawed investigations, insufficient evidence, and delays in trials, which undermine the criminal justice system.

At the international level, human rights violations persist as a global challenge, especially in custodial settings. Freeman (2022), emphasized that despite international agreements and the legal frameworks set forth by the Universal Declaration of Human Rights (UDHR) and numerous treaties, many countries continue to witness abuses, particularly by law enforcement personnel. Reports from Amnesty International and Human Rights Watch frequently highlight instances of torture, arbitrary detention, and the denial of basic rights to detainees.

Crime investigation is a systematic process of gathering facts and evidence to identify, apprehend and prosecute offenders. According to Hess and Orthmann (2017), criminal investigation involves the application of scientific methods, legal procedures and logical reasoning to reconstruct events and establish truth. Effective investigation requires proper documentation, evidence handling and adherence to procedural laws.

Similarly, Innes (2013) emphasized that modern criminal investigations rely not only on physical evidence but also on intelligence gathering and analytical decision making. Investigators must balance speed and accuracy to ensure justice is served without compromising legal standards.

Moreover, Osterburg and Ward (2014) highlighted that the success of an investigation depends on the integrity of evidence and legality of procedures used in obtaining it. Any violation of legal protocols may render evidence inadmissible in court.

Custodial rights refer to the legal protection afforded to individuals under protective custody to prevent abuse and ensure due process. According to Skolnick and Fyfe (1993), the protection of suspects' rights is essential in maintaining public trust and preventing coercive interrogation practices.

The admissibility of evidence is a crucial factor in determining the outcome of criminal cases. According to Gardner and Anderson (2015), evidence must be obtained legally and in compliance with constitutional rights; otherwise, it may be excluded under the exclusionary rule.

The concept of the "Fruit of the Poisonous Tree", as explained by LaFave et al. (2020), suggests that evidence obtained through illegal means is inadmissible in court. This principle reinforces the importance of respecting custodial rights during investigation.

Furthermore, Simon (2012) noted that improper interrogation techniques, such as coercion or failure to inform suspects of their rights, can lead to false confessions and miscarriages of justice.

A study by Kassin et al (2010) examined police interrogation practices and found that certain techniques increase the risk of false confessions, particularly when suspects rights are not properly observed. The study emphasized the need for ethical interrogation methods.

Meissnes et al. (2014) conducted a meta analysis on interrogation techniques and concluded that information gathering approaches are more effective and less likely to violate suspect's rights compared to accusatory methods.

Another study by Leo (2008) explored wrongful convictions and identified that violations of custodial rights, particularly during interrogations, were a major contributing factor. The findings highlight the importance of safeguarding legal rights to ensure justice.

Investigation is critical to the success of criminal trials. The police are responsible for maintaining law and order, and their primary duty in a criminal investigation is to uncover the truth, not merely to bolster the prosecution's case. The Supreme Court in *State of Bihar v. P.P. Sharma* (1992) emphasized that police investigations are the foundation of the criminal trial process. Errors in the investigation could lead to the acquittal of criminals, undermining justice. Although courts are often cautious about relying solely on the statements made during an investigation, the evidence gathered through thorough investigation is vital for establishing the guilt of the accused. The Supreme Court in *Kaptan Singh v. State of Madhya Pradesh* (2002) ruled that the final report of

the investigation serves as a basis for trial but cannot be the sole basis for conviction. The evidence must be proved beyond a reasonable doubt to ensure justice is served.

In India, police officers have historically resorted to torture—both mental and physical—to extract information, often violating human rights. The judiciary has consistently condemned such practices. The Criminal Procedure Code grants police wide powers to investigate crimes, but limitations are imposed to prevent abuses. To curtail police atrocities, the Supreme Court, in *D.K. Basu v. State of West Bengal* (1997), established eleven guidelines to be followed during and after the arrest of a person, ensuring that the accused's human rights are protected while they are in custody (AIR 1997 SC 610). These guidelines include requiring police officers to wear identification tags, preparing a memo of arrest, and ensuring that a relative or friend of the arrested person is informed of their detention. Despite these legal protections, police abuse of power remains rampant, often manifesting in custodial torture, encounters, and deaths in police lockups. Such practices have led to a deterioration of public confidence in law enforcement. Article 21 of the Constitution guarantees the right to life and personal liberty, and the Supreme Court in *Kishore Singh v. State of Rajasthan* (1981) condemned police brutality, emphasizing that such acts violate constitutional protections (AIR 1981 SC 625).

In the Philippines, custodial rights are enshrined under Republic Act No. 7438, which mandates that any person under investigation must be informed of their rights and provided access to legal counsel. According to Bautista (2018), failure to observe these rights can invalidate confessions and weaken prosecution cases.

The landmark case of *Miranda v. Arizona* established the requirement for law enforcement officers to inform suspects of their rights, including the right to remain silent and the right to counsel. This principle has influenced custodial investigation practices worldwide.

According to Rolando V. Del Carmen (2017), failure to inform the suspects of their rights may render any confessions inadmissible in court. This is consistent with international perspectives, as Richard A. Leo (2008) noted that coercive interrogation undermines both human rights and the reliability of evidence.

A study by De Leon (2019) examined police compliance with custodial investigation procedures and found inconsistencies in the implementation of legal safeguards. The study recommends stricter monitoring and training for law enforcement officers.

Similarly, Santos (2020) investigated the relationship between procedural violations and case dismissal rates. The results showed that failure to observe custodial rights often leads to weakened cases and acquittals.

Furthermore, Cruz (2021) studied the awareness of suspects regarding their rights and found that many individuals lack sufficient knowledge, making them vulnerable to rights violations during custodial investigations.

The situation remains equally troubling. Numerous reports have documented human rights abuses involving law enforcement agencies, particularly in the wake of the government's aggressive anti-criminality campaigns. According to the United Nations High Commissioner for Human Rights (UN OHCHR, 2020), the Philippines has seen an alarming rise in cases of extrajudicial killings, unlawful arrests, and inhumane treatment of detainees. Detainees often endure poor prison conditions, lack of medical care, and violations of their rights to due process and legal representation. Specifically, the report cited abuse of prisoners by security forces and denial of timely legal assistance, which mirror the same concerns highlighted in this study. As such, the findings from Bukidnon Provincial Jail are not isolated, but rather part of a broader national pattern that reflects systemic issues in the implementation of human rights standards within the Philippine criminal justice system.

Failure to read Miranda Rights to an arrested person can result in penalties for police officers, including up to 10 years of imprisonment under RA 7438. A study conducted in the United States assessed Miranda misconceptions among over 799 detainees, ranging in age from 11 to 67. The study found that adults had fewer misconceptions about Miranda Rights compared to juveniles. Serious misconceptions were common even among detainees with good verbal abilities and extensive arrest histories. Miranda Rights originated from the 1966 U.S. Supreme Court case *Miranda v. Arizona*, which mandated that police must inform a person in custody about

their Fifth Amendment protection against self-incrimination and their right to an attorney. The rights include remaining silent, the potential use of statements against them in court, and the provision of an attorney if they cannot afford one.

A police officer's decision to use force during their duties is critical, as it carries significant consequences and is a notable aspect of modern policing, despite its infrequent use. Improper use of force can have serious, adverse outcomes for both the suspect and the officer involved. As noted, "These encounters, even with careful consideration, can have severe consequences, such as serious injury or death to either the suspect or officer" as stated by Morrow, et al., (2018). Determining when the use of force is necessary or excessive is a key issue, as force may sometimes be required even though most interactions between police and civilians are non-violent. The Supreme Court has established that an objective reasonableness standard should be applied to claims of excessive force by police. However, even with this standard, determining the appropriate level of force can be challenging and subjective (United States Commission on Civil Rights, 2018).

According to Morrow et al., (2018). High-profile cases like the deaths of Eric Garner, Jamar Clark, and Freddie Gray highlight the severe consequences of police force and underscore the need for further research into the factors influencing police use of force. Studies have examined various factors, including suspect characteristics (e.g., race, age, mental health), officer attributes (e.g., gender, age, rank), situational aspects (e.g., demeanor, resistance), organizational policies, and neighborhood conditions (e.g., crime rates, racial demographics, socio-economic status).

A survey by Human Rights Watch revealed that between October 2017 and May 2018, 880 people were killed in "riding-in tandem" attacks, but only 63 suspects were arrested. Human Rights Watch issued a call for credible investigations into the over 12,000 deaths linked to President Rodrigo Duterte's "war on drugs" and highlighted 4,279 deaths during police operations from July 1, 2016, to May 21, 2018. The organization urged Director General Albayalde to address the rise in "riding-in-tandem killings," often connected to local officials and police. Phelim Kine, Deputy Asia Director, emphasized the challenge for Albayalde to reform the Philippine National Police from perceived predators to true protectors of public safety and rule of law. He stated that Albayalde must show a commitment to human rights by stopping summary killings and holding those responsible accountable.

Human rights, fundamental to every individual, mandate that everyone, including those in police custody, be treated with dignity and respect. These rights are protected by the 1987 Philippine Constitution, which asserts that "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws."

Statement of the Problem

This study aims to determine the extent to which law enforcement officers are able to balance effective crime investigation with the observation of custodial rights during the conduct of custodial investigations as provided under the Republic Act no. 7438. Furthermore, it also aims to evaluate the knowledge, attitudes and practices of investigators and to examine whether such factors influence the investigation and case outcomes. It seeks to answer the following questions:

1. What is the level of effectiveness of crime investigation in observing the rights of the accused during arrest, interrogation and custodial investigation?
2. What is the level of observance on the rights of persons under custodial investigation?
3. How do alleged violation of the rights of the accused affect the admissibility of evidence and the outcome of criminal cases?
4. What are the existing policies and training programs that support law enforcement officers in balancing effective investigation and the protection of accused persons rights?
5. What measures can be proposed to improve the balance of effective investigation and the protection of accused persons rights?

METHODOLOGY

This chapter presents the research design, population and locale of the study, instrumentation and data collection, data analysis and categorization of data used in this study.

Research Design

The study will employ mixed method, specifically exploratory research design to examine the balance between effective crime investigation and protection of the rights of accused. The study will utilize a descriptive research design to allow the researcher to systematically describe the current practices of investigators without manipulating any variables. A quantitative approach will be utilized through the use of structured survey questionnaire that will reflect the actual conditions in the field.

Population and Locale of the Study

The population of the study will consist of (2) criminal investigators in each police station in the 5th District of Pangasinan with a total of eight (8) police stations within its jurisdiction. The study will use a purposive sampling technique as it only selected law enforcement officers who are directly involved in crime investigation and custodial investigation. As front-line of law enforcement personnel, they play a critical role in gathering evidence, interviewing suspects and ensuring that investigative processes comply with legal standards.

The 5th District of Pangasinan provides an appropriate setting for this research because it represents a diverse area in terms of crime incidents, case complexity and operational challenges. Investigators assigned in the District are regularly exposed to real life situations where they must balance effective crime investigation with the observance of custodial rights. This makes them highly suitable for providing relevant, experience-based insights into the study.

Instrument of Data

This study utilizes a structured self made questionnaire as the primary data gathering tool. The questionnaire is designed to measure the extent to which law enforcement officers balance effective crime investigation and not compromising the rights of persons under custodial investigation while ensuring consistency, objectivity and confidentiality of responses. The study will also utilize an interview guide to obtain an in depth qualitative information from the respondents. The guide consisted of a set of structured and semi- structured questionnaire designed to explore the experiences, perspectives and practices of investigators in balancing effective crime investigation with the observance of custodial rights.

Data Gathering Procedures

Prior to the conduct of the study, the researcher will secure an approval letter from the academic institution and formally request permission to the concerned authority from the Philippine National Police, for each police station where the respondents are assigned. Approval from the head of office shall be obtained to ensure that the data collection process complies with institutional protocols.

Upon approval, the researcher will explain the purpose, scope and significance of the study. The respondents will be informed that participation is voluntary and that all information gathered will be treated with strict confidentiality and used solely for academic purposes.

The validated survey questionnaire will be administered personally by the researcher. Respondents will be given sufficient time to answer the instrument to ensure accuracy and completeness of responses.

After retrieval of the questionnaires, the researcher will review the completeness and organize the data for coding and statistical treatment.

Data Analysis

The data collected from the questionnaires will be systematically organized coded and entered into a statistical software program for analysis. Both descriptive and inferential statistical tools will be utilized to answer the

specific research questions of the study. Weighted mean and standard deviation will be employed to determine the level of knowledge on custodial rights under Republic Act on. 7438, observance of custodial rights and effectiveness of crime investigation. The results will be interpreted using a Likert scale range with corresponding descriptive equivalent. (e.g. Strongly disagree, Disagree, Agree and Strongly Agree). To determine whether significant relationship exist between the variables, Pearson r correlation can be used to examine the relationship between observance of custodial rights and effectiveness of crime investigation.

All statistical tests will be set at a 0.05 level of significance. The findings will then be interpreted in relation to the objectives of the study to determine whether a balance exists between effective crime investigation and the observance of custodial rights. The qualitative data gathered from the interviews will be analyzed using thematic analysis. This method will be employed to systematically identify, organize and interpret patterns of meaning from the responses of the participants.

Ethical Considerations

This study strictly observes ethical standards in the conduct of research involving police personnel. Prior to data collection, the researcher will seek formal permission from the appropriate authority of the Philippine National Police (PNP).

Participation in the study will be entirely voluntary. Informed consent form will be provided to the respondents clearly explaining the purpose of research, the procedures involved, expected duration of participation and their right to withdraw at any time without penalty. The respondents will also be informed that refusal to participate will not result in any form of disadvantage.

Confidentiality and anonymity will be strictly maintained. The questionnaire will not require the disclosure of names or identifying information unless absolutely necessary and all responses will be coded to protect the identity of participants. Collected data will be used solely for academic purposes and will not be disclosed to unauthorized individuals or institutions. The researcher will ensure that the study does not expose respondents to professional risk, reputation harm or administrative liability. Questions will be framed objectively and will not compel respondents to admit to unlawful conduct. The study will focus on general practices, knowledge and perceptions rather than specific cases. Finally, all data gathered will be securely stored and properly disposed after the completion of the study in accordance with research ethic guidelines and institutional policies.

RESULTS AND DISCUSSION

This chapter presents, analyzes, and interprets the data gathered using both quantitative (survey questionnaire) and qualitative (interview) methods on the observance of custodial human rights and the effectiveness of crime investigation. The results are organized according to the specific variables of the study.

Observance of Custodial Rights.

Table 1 Observance of Custodial Human Rights

Indicators	WM	DE
1. The suspect is informed of his/her constitutional rights before questioning.	4.75	A
2. The suspect's rights are explained in a language the clearly understand.	4.75	A
3. The suspect is informed of his rights to remain silent.	4.75	A
4. The suspect is allowed to communicate with family or counsel when requested.	4.75	A
5. The presence of counsel is ensured before custodial investigation.	4.38	A

6. Any form of coercion or intimidation during questioning is avoided.	4.75	A
7. The suspect is not subjected to any physical force or violence.	4.50	A
8. Psychological pressure is not used to obtain a confession.	4.50	A
9. All procedures during the conduct of custodial investigation are properly documented.	4.75	A
10. Sufficient time is provided for the suspect to review or read the statement.	4.75	A
11. Written statements are read and clearly explained to the suspect before signing.	4.75	A
12. Statements are not modified or altered without the knowledge and consent of the suspect.	4.75	A
13. The suspect is treated with respect throughout the investigation process.	4.75	A
14. The suspect is provided with basic needs such as food, water and rest.	4.63	A
15. The suspect is not subjected to degrading or humiliating treatment.	4.75	A
16. The investigation environment is safe.	4.75	A
OVERALL MEAN	4.69	A

Legend: 1.00 – 1.79 Never (N), 1.80 – 2.59 Rarely (R), 2.60 – 3.39 Sometimes (S), 3.40 – 4.19 Often (O), 4.20 – 5.00 Always (A)

Table 1 presents the respondents assessment of the observance of custodial human rights during the conduct of investigations.

The data reveal that the overall mean is 4.69, which is interpreted as “Always”. This indicates that investigators consistently observe the rights of suspects during custodial investigations.

Most of the indicators obtained a mean of 4.75, suggesting a very high level of compliance. These include informing the suspect of constitutional rights, before questioning, explaining rights in a language clearly understood, informing the right to remain silent, allowing communication with counsel or family, avoiding coercion or intimidation, properly documenting procedures, ensuring sufficient time to review statements, explaining written statements before signing, securing consent before modifying statements, treating suspects with respect, avoiding degrading treatment, and maintaining a safe investigation environment.

However, some indicators received slightly lower mean scores. The presence of counsel before custodial investigation obtained a mean of 4.38, while the absence of physical force and psychological pressure both received 4.50 and the provision of basic needs such as food, water and rest obtained 4.63. Although these values are still interpreted as “Always”, they indicate areas where improvements may still be considered.

These finding imply that investigators demonstrate a strong commitment to upholding custodial human rights. The high level of compliance reflects adherence to legal standards and ethical practices in handling suspects. Nonetheless, the slightly lower scores suggest that practical challenges- such as delays in securing legal counsel or limitations in resources- may affect the full implementation of certain rights.

Effectiveness of Crime Investigation

Table 2 Effectiveness of Crime Investigation



Indicators	WM	DE
1. Observing custodial rights does not hinder effective investigation.	4.25	SA
2. Respecting the rights of the accused prevents delays in case resolution.	3.75	A
3. The unit enforces strict policies on the observance of custodial rights.	4.69	SA
4. There are clear sanctions for violation of custodial rights in the unit.	4.31	SA
5. Proper observance of rights strengthens the admissibility of evidence.	4.38	SA
6. Compliance with legal procedures improves case outcomes.	4.38	SA
7. Training on custodial rights between efficiency and rights observance in our unit.	4.50	SA
8. Time pressure does not justify the violation of custodial rights.	4.38	SA
9. A balance between efficiency and rights observance is consistently achieved in practice.	4.38	SA
10. Supervisors monitor compliance with custodial investigation procedures.	4.44	SA
OVERALL MEAN	4.34	SA

Legend: 1.00 – 1.79 Strongly Disagree (SD), 1.80 – 2.59 Disagree (D), 2.60 – 3.39 Neutral (N), 3.40 – 4.19 Agree (A), 4.20 – 5.00 Strongly Agree (SA)

Table 2 presents the respondents assessment of the effectiveness of crime investigation in relation to the observance of custodial rights.

The results show an overall mean of 4.34, interpreted as “Strongly Agree”. This indicates that respondents strongly believe that observing custodial rights contributes positively to effective effective crime investigation.

The highest mean score (4.69) was obtained by the indicator stating that the unit enforces strict policies on the observance of custodial rights. Other indicators, such as the presence of sanctions for violations (4.31), strengthening the admissibility of evidence (4.38), improving case outcomes (4.38), conducting training on custodial rights (4.50), rejecting time pressure as justification for violations (4.38), maintaining a balance between efficiency and rights (4.38), and supervisory monitoring (4.44), were all interpreted as “Strongly Agree”. The lowest mean score (3.75) was recorded for the statement that respecting the rights of the accused prevents delays in case resolution. Although this is still interpreted as “Agree”, it suggests that some respondents perceive that the observance of rights may occasionally slow down investigative processes.

Overall, the findings indicate that observing custodial rights does not hinder effective crime investigation. On the contrary, it enhances the quality and credibility of the investigation by ensuring the evidence is obtained legally and is admissible in court. The perception of possible delays highlights the reality that due process requires time, but this does not outweigh its importance in achieving just and lawful outcomes.

Qualitative Results

This section presents the qualitative finding based on the interview guide. Each theme corresponds to specific interview questions, ensuring that the analysis is directly grounded in the response of the participants.

Theme 1: Effect of Custodial Rights Violations on Evidence Admissibility



Participants consistently emphasize that violations of custodial rights negatively affect the admissibility of evidence. They explained that any evidence obtained without proper observance of rights may be challenged or excluded in court.

One respondent stated: “If custodial rights are violated, the evidence can be dismissed because it was not obtained properly and legally”.

Another respondent shared: “Courts are strict. If procedures are not followed, the case becomes weak and can lead to dismissal”.

These responses indicate that strict adherence to custodial rights is essential to ensure evidence remains valid and legally acceptable.

Theme 2: Importance of Compliance with Custodial Rights

Respondents strongly emphasized the importance of strict compliance with custodial rights. They noted that proper procedures directly influence the success of a case.

One participant explained: “Compliance is crucial because it protects the case from being questioned”

Another respondent stated: “If we follow all procedures, the evidence becomes stronger and more credible”.

This theme supports the quantitative findings where respondents strongly agreed that observance of rights strengthens case outcomes.

Theme 3: Instance of Evidence Rejection Due to Violations

Some participants shared experiences where evidence was questioned or rejected due to procedural lapses, particularly when suspects were not properly informed of their rights or when legal counsel was absent.

One respondent mentioned: “There were cases where confessions were not accepted because the suspect did not have a lawyer”.

Another respondent added: “Improper documentation or lack of explanation of rights can result in evidence being disregarded”.

These responses highlight the real consequences of failing to observe custodial rights during investigation.

Theme 4: Training Needs for Investigators

Respondents emphasized the need for continuous training to enhance both legal knowledge and investigative skills. They highlighted that regular seminars and practical training improve compliance with custodial procedures.

One respondent stated: “More training on legal procedures and rights will help investigators avoid mistakes”

Another shared: “Workshops and updates on laws are important so we can keep up with proper practices”

This finding aligns with the quantitative results indicating strong agreement on the importance of training.

Theme 5: Suggestions for Policy and Procedural Improvements

Respondents suggested improvements such as stricter monitoring, clear guidelines, and better access to legal counsel to enhance the observance of custodial rights.

One respondent noted: “There should be stricter monitoring to ensure all investigators follow the rules:



Another respondent suggested: “Providing faster access to lawyers can help avoid delays and ensure compliance”.

The insights indicate that institutional support and policy improvements are essential in strengthening both rights observance and investigative effectiveness.

SUMMARY, CONCLUSION AND RECOMMENDATIONS

Summary of Findings

The results of the study reveal that:

1. The observance of custodial human rights is consistently practiced, with an overall assessment of “Always”.
2. Investigators demonstrated high compliance with legal and ethical standards, particularly in informing suspects of their rights and avoiding coercion.
3. The effectiveness of crime investigation is not compromised by the observance of custodial rights, as reflected by a “Strongly Agree” rating.
4. While minor concerns exist regarding possible delays, respondents still recognize that respecting rights strengthen case outcomes and evidence admissibility.

DISCUSSION

The results of the study demonstrates that effective crime investigation and the observance of custodial human rights are not mutually exclusive but are complementary in nature. The consistent observance of rights enhances the integrity of the investigative process and ensures that evidence gathered is legally sound.

The high ratings across both variables indicate that investigators recognize the importance of balancing efficiency with legality. Observing custodial rights minimizes the risk if legal challenges, strengthens the prosecution of cases and promotes public trust in law enforcement institutions.

While the perception of delay exists, this should be understood within the context of due process. Ensuring that procedures are properly followed may require additional time; however, it ultimately leads to more reliable and defensible outcomes in the administration of justice.

Recommendations

In light with the foregoing conclusions, the following recommendations are proposed:

1. Enhanced and Continuous Training for Investigators

Law enforcement agencies should implement regular training programs focusing on custodial rights, legal updates and proper investigative procedures.

2. Strict Supervisory Mechanisms

Supervisors should conduct routine monitoring and evaluation of custodial investigations.

3. Institutionalization of Recording Practices

All custodial investigations should be supported by audio-visual recording systems to ensure transparency and protect both investigators and suspects. This will also strengthen the evidentiary value of statements obtained.

4. Clear and Enforced Standard Operating Procedures (SOPs)

Law enforcement agencies should review and strictly implement standardized SOPs on custodial investigation to minimize procedural lapses and ensure uniformity in practice.

5. Strengthening Legal Coordination

Coordination between investigators and legal counsels should be encouraged to ensure all investigative actions comply with legal standards and requirements for admissibility of evidence.

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Letter of Validation Request

PMSg MICHELLE DULAY

Chief Admin PNCO

Santo Tomas Municipal Police Station

Santo Tomas, Pangasinan

Ma'am:

Greetings!

I am currently undertaking a research study, entitled: **“BALANCING EFFECTIVE CRIME INVESTIGATION AND OBSERVANCE OF CUSTODIAL RIGHTS: A STUDY OF LAW ENFORCEMENT OFFICERS IN THE 5TH DISTRICT OF PANGASINAN”** as a requirement of my Master's Degree in Criminal Justice with specialization in Criminology.

In line with this, I respectfully requests your good office to validate my survey questionnaire and interview guide that aims to examine how law enforcement officers maintain investigative effectiveness while ensuring the protection of the rights of persons under custodial investigation.

Your comments, suggestions and recommendations will be appreciated and will greatly contribute to improving the quality and reliability of this study. Rest assured that any information will be treated with confidentiality and will be used solely for academic purposes.

Thank you very much for your time and support.

Sincerely yours,

JIMMZY FABE F. ERMINO

Researcher

Noted by:

ANTHONY JOHN JIMENEZ, PhD

Professor

Validation Tool for Questionnaire

ITEM	Rating				WM	D.E.R.
	4	3	2	1		
1.	The directions given are clear in all sections of the data gathering instrument.					
2.	Each item is readable.					
3.	Each item is attractive to read and good spacing is observed.					
4.	The data gathering instrument is comprehensive i.e., it					



	covered all area that are important in the study.						
5.	Each item is focused on a particular thought or idea.						
6.	The items are objective I.e., the responses to be elicited are neither biased nor reactive.						
7.	The items are formulated in accordance to the explicit/implicit objective of the study.						
8.	The items do not overlap with each other, no duplication of item is observed.						
					AWM		

Legend:		
Rate	Numerical Evaluation	Descriptive Equivalent Rating
4	3.26-4.00	Highly Valid
3	2.51-3.25	Valid
2	1.76-2.50	Fairly Valid
1	1.00-1.75	Not Valid

Name and Signature of Validator: _____

LETTER OF REQUEST

[NAME]

[POSITION]

[PLACE OF ASSIGNMENT]

Sir:

Greetings!

I am currently undertaking a research study, entitled: **“BALANCING EFFECTIVE CRIME INVESTIGATION AND OBSERVANCE OF CUSTODIAL RIGHTS: A STUDY OF LAW ENFORCEMENT OFFICERS IN THE 5TH DISTRICT OF PANGASINAN”** as a requirement of my Master's Degree in Criminal Justice with specialization in Criminology.

In this regard, I respectfully request permission to conduct my study within your office and to invite selected investigators as respondents. The purpose of this research is to examine how law enforcement officers maintain effective investigative procedures while ensuring the protection of the constitutional rights of persons under custodial investigation.

Rest assured that all information gathered will be treated with utmost confidentiality and will be used solely for academic purposes. Participation of respondents will be voluntary and their identities will remain anonymous throughout the study.



I am hoping for your kind approval of this request. Your support will greatly contribute to the success and relevance of this research.

Thank you very much for your time and consideration.

Sincerely yours,

JIMMZY FABE F. ERMINO

Researcher

SURVEY QUESTIONNAIRE

PART I. Observance of Custodial and Human Rights

Direction: Using the scale below, indicate how often you observe the following during custodial investigation..

5- Always

4- Often

3- Sometimes

2- Rarely

1- Never

	1	2	3	4	5
1. The suspect is informed of his/her constitutional rights before questioning.					
2. The suspect's rights are explained in a language the clearly understand.					
3. The suspect is informed of his rights to remain silent.					
4. The suspect is allowed to communicate with family or counsel when requested.					
5. The presence of counsel is ensured before custodial investigation.					
6. Any form of coercion or intimidation during questioning is avoided.					
7. The suspect is not subjected to any physical force or violence.					
8. Psychological pressure is not used to obtain a confession.					
9. All procedures during the conduct of custodial investigation is properly documented.					
10. Sufficient time is provided for the suspect to review or read the statement.					
11. Written statements are read and clearly explained to the suspect before signing.					
12. Statements are not modified or altered without the knowledge and consent of the suspect.					



13. The suspect is treated with respect throughout the investigation process.					
14. The suspect is provided with basic needs such as food, water and rest.					
15. The suspect is not subjected to degrading or humiliating treatment.					
16. The investigation environment is safe.					

PART II. Effectiveness of Crime Investigation

Direction: Using the scale below, indicate how you observe the following during custodial investigation.

- 5- Strongly Agree
- 3- Agree
- 4- Neutral
- 2- Disagree
- 1- Strongly Disagree

	1	2	3	4	5
1. Observing custodial rights does not hinder effective investigation.					
2. Respecting the rights of the accused prevents delays in case resolution.					
3. The unit enforces strict policies on the observance of custodial rights.					
4. There are clear sanctions for violation of custodial rights in the unit.					
5. Proper observance of rights strengthens the admissibility of evidence.					
6. Compliance with legal procedures improves case outcomes.					
7. Training on custodial rights between efficiency and rights observance in our unit.					
8. Time pressure does not justify the violation of custodial rights.					
9. A balance between efficiency and rights observance is consistently achieved in practice.					
10. Supervisors monitor compliance with custodial investigation procedures.					

INTERVIEW GUIDE

OPENING SPIEL:

“ Good day! I am Jimmzy Fabe F. Ermino, an undergraduate of Masters of Science in Criminal Justice at CICOSAT Colleges in San Fernando City, La Union. I am currently conducting a study entitled “Balancing Effective Crime Investigation and Observance of Custodial Rights”.



The purpose of this interview is to gather insights regarding how law enforcement officers balance effective investigation practices while ensuring the rights of individuals under custodial investigation are upheld. You were selected as a participant because of your relevant experience and expertise in this field.

Please be assured that all the information you will provide will be treated with utmost confidentiality and will be used solely for academic purposes. Your participation in this study is entirely voluntary and you may choose to withdraw at any time without any consequences.

With your permission, I would like to record this interview to ensure accuracy in documenting your responses. Do I have your consent to proceed?

Thank you very much. We will now begin the interview”.

1. How do violations of custodial rights affect the admissibility of evidence in court?
2. Based on your experience, how important is strict compliance with custodial rights in ensuring that evidence is accepted in court?
3. Can you share some instances where evidence was rejected due to violation of custodial rights?
4. What training would help you, investigators better balance these responsibilities?
5. Do you have any suggestion for policy reforms or procedural change?

CLOSING SPIEL:

That concludes our interview. I would like to sincerely thank you for taking the time to participate and for sharing your valuable insights in this study. Your response will greatly contribute to the success of our research. If you have any questions or would like to add further information, you are most welcome to do so.

As a small token of our appreciation for your time and cooperation, I would like to offer this to you.

Thank you once again for your participation.

Have a great day!

INFORMED CONSENT FORM

Title of the Study

“Balancing Effective Crime Investigation and Observance of Custodial Rights”

Researcher

Jimmy Fabe F. Ermino

Purpose of the Study

You are invited to participate in this research study which aims to examine how law enforcement officers balance effective crime investigation while ensuring the observance of custodial rights of suspects.

Procedures

If you agree to participate, you will be asked to answer an interview guide consisting of questions related to your experiences, practices, and insights as an investigator. The interview will take approximately 10-20 minutes.



Voluntary Participation

Your participation in this study is entirely voluntary. You may refuse to participate or withdraw at any time without any penalty or consequences.

Risks and Discomfort

There are no significant risks involved in this study. However, you may feel slight discomfort when answering some questions. You may skip any question you do not wish to answer.

Benefits of the Study

While there may be no direct benefit to you, your responses will help improve understanding of proper investigative practices and protection of custodial rights.

Confidentiality

All information you provide will be kept strictly confidential. Your identity will not be disclosed in any part of the research. Data collected will be used solely for academic purposes.

Compensation

You will receive a small token of appreciation for your participation.

Contact Information

If you have any questions or concerns about the study, you may contact:

Jimmy Fabe F. Ermino

Consent Statement

I have read and understood the information provided above. I have been given the opportunity to ask questions and all my questions have been answered satisfactorily. I voluntarily agree to participate in the study.

Participant's Name: _____

Signature: _____

Date: _____

Researcher's Name: _____

Signature: _____

Date: _____

Data Tables

Table 1 Observance of Custodial Human Rights

Indicators	WM	DE
17. The suspect is informed of his/her constitutional rights before questioning.	4.75	A
18. The suspect's rights are explained in a language they clearly understand.	4.75	A



19. The suspect is informed of his rights to remain silent.	4.75	A
20. The suspect is allowed to communicate with family or counsel when requested.	4.75	A
21. The presence of counsel is ensured before custodial investigation.	4.38	A
22. Any form of coercion or intimidation during questioning is avoided.	4.75	A
23. The suspect is not subjected to any physical force or violence.	4.50	A
24. Psychological pressure is not used to obtain a confession.	4.50	A
25. All procedures during the conduct of custodial investigation are properly documented.	4.75	A
26. Sufficient time is provided for the suspect to review or read the statement.	4.75	A
27. Written statements are read and clearly explained to the suspect before signing.	4.75	A
28. Statements are not modified or altered without the knowledge and consent of the suspect.	4.75	A
29. The suspect is treated with respect throughout the investigation process.	4.75	A
30. The suspect is provided with basic needs such as food, water and rest.	4.63	A
31. The suspect is not subjected to degrading or humiliating treatment.	4.75	A
32. The investigation environment is safe.	4.75	A
OVERALL MEAN	4.69	A

Legend: 1.00 – 1.79 Never (N), 1.80 – 2.59 Rarely (R), 2.60 – 3.39 Sometimes (S), 3.40 – 4.19 Often (O), 4.20 – 5.00 Always (A)

Table 2 Effectiveness of Crime Investigation

Indicators	WM	DE
11. Observing custodial rights does not hinder effective investigation.	4.25	SA
12. Respecting the rights of the accused prevents delays in case resolution.	3.75	A
13. The unit enforces strict policies on the observance of custodial rights.	4.69	SA
14. There are clear sanctions for violation of custodial rights in the unit.	4.31	SA
15. Proper observance of rights strengthens the admissibility of evidence.	4.38	SA
16. Compliance with legal procedures improves case outcomes.	4.38	SA
17. Training on custodial rights between efficiency and rights observance in our unit.	4.50	SA
18. Time pressure does not justify the violation of custodial rights.	4.38	SA



19. A balance between efficiency and rights observance is consistently achieved in practice.	4.38	SA
20. Supervisors monitor compliance with custodial investigation procedures.	4.44	SA
OVERALL MEAN	4.34	SA

Legend: 1.00 – 1.79 Strongly Disagree (SD), 1.80 – 2.59 Disagree (D), 2.60 – 3.39 Neutral (N), 3.40 – 4.19 Agree (A), 4.20 – 5.00 Strongly Agree (SA)

II. Educational Background

❖ Tertiary

Northwestern University- Laoag City

❖ Secondary

Ilocos Norte National High School

❖ Primary

Eladio V. Barangan Memorial Elementary School

III. Employment History

- ❖ Full time Instructor- Northwestern University, College of Criminal Justice Education (January 2023-June 2023)
- ❖ Full time Instructor- University of Eastern Pangasinan- College of Criminal Justice Education (August 2023- Present)