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Challenges In Criminal Case Build-Up: An Assessment Of Public Prosecutors In Naga City

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Abstract

Public prosecutors globally encounter a persistent array of challenges in effectively building criminal cases, which significantly hinders their capacity to ensure accountability and the timely administration of justice. Adopting a mixed-methods approach, the research integrated quantitative data from structured surveys with qualitative insights gathered through in-depth interviews with Naga City prosecutors. Findings indicate that while evidence-related issues (e.g., witness reliability, chain of custody, incomplete case files) and procedural challenges (e.g., strict evidentiary requirements leading to dismissals) occur occasionally, external pressures, notably political interference and ethical dilemmas, are rare or absent, suggesting a high degree of prosecutorial integrity and autonomy in Naga City. To address these, prosecutors primarily utilize four strategies: collaborative efforts with law enforcement (institutionalized by DOJ Circular No. 20), proper case management and evidence handling, meticulous witness management and testimony preparation, and advocating for continuous training and capacity building for law enforcement officers.

Keywords: Criminal Case Build-up, Prosecution, Law Enforcement, Public Prosecutors, Evidence Handling, Strategies

INTRODUCTION

Public prosecutors are indispensable component of the criminal justice system, serving as key players in upholding justice and ensuring accountability for crimes committed. Their role has been presented by Chief Justice Gesmudo, who referred to them as "gatekeepers of the judiciary," and that their responsibility in maintaining the integrity of the justice system (Gesmudo, 2023).

However, the process of building a criminal case is frequently fraught with various obstacles that can impact a prosecutor's ability to effectively secure convictions. These challenges broadly encompass gathering reliable evidence, ensuring witness cooperation, navigating complex legal structures, and managing resource limitations (Gadus, 2017). Ethical dilemmas, where prosecutors must balance the pursuit of justice with defendants' rights, are also significant (Tisdale, 2023).

Also, according to RAND report (2024), the integration of technology in prosecutorial practices presents demands for managing vast amounts of digital evidence, often intensified by inadequate resources and staffing.

Furthermore, procedural constraints, such as legislative restrictions on appeals or errors in formulating criminal acts, can hinder effectiveness and even nullify cases (Kushnir, 2023). Harahap (2023) points out that errors in formulating criminal acts can nullify

cases, underscoring the importance of meticulous attention to detail in the investigative process. These procedural hurdles require prosecutors to develop strategies that ensure compliance with legal standards while effectively advocating for justice.

In the Philippines, issues like backlog and inefficiency within the criminal justice system, worsened by procedural delays and limited resources, are primary challenges. Pradana (2023) highlights that limitations in public services can affect the quality of investigations, as prosecutors often face resource constraints that impede their ability to gather comprehensive evidence. This issue is compounded by the fact that public prosecutors must rely on the investigative work of law enforcement agencies, which may not always align with the legal standards required for successful prosecution.

Thus, several strategies were initiated. These include community prosecution initiatives to build trust and align priorities, pre-arrest screening to filter weak cases early and the importance of continuous professional development and training for prosecutors. One strategy is the implementation of community engagement initiatives, which aim to build trust and collaboration between prosecutors and local communities. Legaspi et al., (2022) highlight the importance of effective information dissemination strategies employed by prosecution offices to enhance client awareness and engagement. By fostering better communication with the public, prosecutors can improve community support and cooperation in criminal cases, ultimately leading to more successful prosecutions. Additionally, the integration of restorative justice principles into prosecutorial practices has emerged as a promising strategy to address the limitations of traditional punitive approaches. Mubarok (2023) discusses how law enforcement agencies can utilize restorative justice to resolve cases collaboratively, involving all parties in the process.

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Furthermore, in the Philippines, DOJ Circular No. 20 institutionalizes the proactive involvement of prosecutors in the case build-up stage, fostering closer coordination with law enforcement and complainants to ensure more substantial and justifiable case presentations. This policy has reportedly led to a significant number of weak cases not being filed, contributing to court decongestion.

However, a notable gap in the existing literature is the underexplored relationship between police and prosecutors, with a lack of empirical research systematically investigating how these interactions influence prosecutorial decision-making and case outcomes (Rowe, 2014; Mubarok, 2023).

Thus, this study aimed to address these gaps by thoroughly assessing the challenges faced by public prosecutors in Naga City when building criminal cases and exploring the strategies they employ to overcome these obstacles. Specifically, this study aims to assess frequency of handling and the degree of challenges that the public prosecutors in Naga City faces across different types of criminal cases. Furthermore, it is also aimed at identifying strategies employed by public prosecutors in dealing with the challenges.

METHODOLOGY

This study utilized an explanatory sequential mixed methods design (Creswell & Creswell, 2018). In the first phase, quantitative data was collected and analyzed through a structured survey. The results from this quantitative phase were then used to plan and build onto the second, qualitative phase. For this study, the survey assessed the frequency and degree of handling different types of criminal cases, the frequency and severity of challenges, and the strategies employed by public prosecutors and their perceived effectiveness. The qualitative research, involving interviews and analysis of answers, explored the strategies employed by public prosecutors in Naga City on certain cases, providing qualitative perspectives.

The respondents for this research were public prosecutors of Naga City. A total enumeration was used, including all twenty-two (22) prosecutors in the study. For Part 1 of the questionnaire, all twenty-two (22) public prosecutors were able to answer. For Part 2 of the questionnaire, only sixteen (16) responded, as four were at a convention in Metro Manila and two were on leave. The demographic profile of the respondents revealed that the majority were male (14 out of 22, or 63.64%), while 8 respondents (36.36%) were female. In terms of age, the largest group fell within the 50-59 years old bracket, with 10 respondents (45.45%), followed by 8 respondents (36.36%) in the 40-49 years old range, 3 respondents (13.64%) aged 60 and above, and 1 respondent (4.55%) in the 20-29 years old group. Regarding years of experience, most respondents had 10 or more years of experience (10 out of 22, or 45.45%), followed by 7 respondents (31.82%) with 4-6 years of experience, and 5 respondents (22.73%) with 7-9 years of experience, with none having less than 3 years of experience.

For the data-gathering tools, the researcher developed a self-designed survey questionnaire as the primary data collection instrument. The questionnaire was subjected to validation by experts (experienced prosecutors). Indicators for the survey were adapted from related literature, specifically a study by Rivero and Tionko (2021) on challenges faced by public prosecutors and lawyers in handling rape cases. After validation, the questionnaire underwent reliability testing through a pilot test conducted on 10 legal practitioners from a similar environment to evaluate clarity and readability. An interview guide was also used, focusing on the top five challenges identified from the survey questionnaire.

Throughout the data-gathering process, ethical considerations were strictly followed to ensure participant rights, well-being, integrity, and transparency. Written approval was obtained from the adviser, the College Dean, and the head of the Naga City Prosecutors' Office prior to data collection. Participants were fully informed of the study's purpose, significance, and their role, ensuring informed consent. They were made aware of their right to withdraw at any time and could clarify any aspect of the research. Efforts were made to protect participants' identities, ensuring anonymity and confidentiality by using pseudonyms or codes in reports. Participation was voluntary, with no coercion or pressure, ensuring it was driven by genuine interest. All collected data was securely stored on password-protected devices, accessible only to the researcher, and retained only for the duration of the study, after which it was securely disposed of by deletion and shredding. The study underwent ethics review and approval by the institution's Ethics Review Board to ensure compliance with ethical research standards.

The collected data was analyzed using JASP, a free, open-source statistical software, employing various statistical tools. Descriptive statistics were used to determine the weighted mean, summarizing the responses for each challenge, including frequency and severity ratings. Pearson's correlation was applied to measure the relationship between the frequency of handling and the degree of challenge in managing identified criminal cases. Thematic analysis was used for the data collected from questionnaires and in-person interviews regarding the strategies employed by the public prosecutors of Naga City.

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RESULTS

Based on the objectives of this study, the following results were yielded:

Frequency of handling identified criminal cases

The overall weighted mean for the frequency of handling identified criminal cases was 2.65, interpreted as "occasionally". This indicates that, on average, cases are handled 3-4 times. Specifically, crimes against property yielded the highest mean of 3.36, interpreted as "frequently," indicating these are the cases most primarily handled by respondents in Naga City. For context, PNP data showed 6,682 theft cases from July 2022 to January 2023, an increase from the previous year, and 150 cases of crimes against property in the Bicol region from 2019-2021.

Homicide/Murder/Physical Injuries Cases also yielded a high mean of 3.32, interpreted as "frequently," signifying that these serious offenses are a significant focus for prosecutors. Drug-related cases had a mean of 3.18, and Rape/Sexual Assault/Domestic Violence Cases had a mean of 2.91, both interpreted as "occasionally" (3-4 instances). The occasional handling of drug crimes may be influenced by efforts to clear barangays of illegal drugs, as reported by the Philippine Drug Enforcement Agency (PDEA) in Camarines Sur.

Cybercrimes had a mean of 2.14, and Crimes Involving Children in Conflict with the Law had a mean of 2.36, both interpreted as "rarely". Lastly, Human Trafficking Cases had the lowest mean of 1.50, interpreted as "absent/none at all".

Degree of challenge in handling identified criminal cases

The overall weighted mean for the degree of challenge in handling identified criminal cases was 2.67, categorized as a "moderate" challenge. This suggests that cases generally present a significant level of complexity, requiring careful attention during case build-up.

Specifically, Rape/Sexual Assault/Domestic Violence Cases (mean: 3.05) and Drug-related cases (mean: 3.00) were perceived as the most challenging, both falling into the "moderate challenge" category. Cybercrimes, with a mean of 2.91, were regarded as a "moderate" challenge, reflecting the evolving nature of technology and enforcement difficulties. Homicide/Murder/Physical Injuries Cases, with a mean of 2.86, were slightly less challenging than sexual or drug-related offenses but still considered a "moderate challenge." Human Trafficking Cases, with a mean of 2.50, also presented a "moderate challenge." Crimes Involving Children in Conflict with the Law, with a mean of 2.36, were viewed as a "minimal" challenge. Finally, Crimes Against Property, with a mean of 2.23, were seen as the least challenging, falling into the "minimal" challenge category.

The study identified various challenges faced by public prosecutors in Naga City, categorized into evidence-related, procedural, witness-related, resource and capacity, and external pressures and influences challenges. Evidence-related challenges had an overall weighted mean of 2.84, categorized as "occasionally," with specific issues such as reliability of witnesses, chain of custody, and incomplete case files all rated at a mean of 3.05. Availability, admissibility, and timely processing of evidence were rated at 2.86, also occurring "occasionally." Tampering or loss of documentary evidence was the least frequent concern (mean: 2.23), occurring "rarely."

Procedural challenges had an overall weighted mean of 2.44, categorized as "rarely." Strict evidentiary requirements leading to case dismissals were the most frequent, with a mean of 2.86, followed by delays in proceedings and the absence of parties during trial (mean: 2.64). The backlog of cases occurred "rarely" (mean: 2.27), as did challenges in securing court orders for evidence collection (mean: 1.82).

Witness-related challenges were categorized as "rarely" (mean: 2.08), with issues such as credibility/recantation of testimony due to external pressures (mean: 2.18) and reluctance to cooperate (mean: 2.09) occurring occasionally. Witness withdrawal due to safety concerns was less common (mean: 1.82), as was the discrediting of witnesses with criminal records (mean: 1.95), and difficulty locating key witnesses (mean: 2.36).

Resource and capacity challenges had an overall weighted mean of 2.409, categorized as "rarely." The most frequent challenge was limited training for police officers in evidence collection (mean: 2.86), followed by limited access to technology and inadequate funding for expert witnesses (mean: 2.64 and 2.50, respectively). Shortages of prosecutors and support staff (mean: 2.14) and lack of coordination between law enforcement and prosecutors (mean: 1.91) were also noted.

External pressures and influences challenges had the lowest overall weighted mean of 1.85, categorized as "rarely." Media scrutiny and public pressure were noted (mean: 2.00), but political interference (mean: 1.68) and ethical dilemmas (mean: 1.73) were largely absent, reflecting a strong adherence to institutional protocols. High-profile individuals using connections to delay or dismiss cases occurred rarely (mean: 1.77), and community expectations and demands (mean: 2.05) also posed minimal challenges.

Strategies in handling the challenges

The following themes were developed:

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Collaborative efforts during case building. Collaboration between prosecutors and law enforcement is crucial for effective criminal case processing and corruption eradication, as it is essential for proper evidence handling, case progression, and adherence to legal procedures. Early collaboration during investigations is vital to ensure all necessary evidence is gathered and cases are built effectively, preventing issues that may arise during trial due to incomplete evidence. Interagency cooperation, both domestically and internationally, has shown positive results in confronting multi-jurisdictional crime.

The Department of Justice (DOJ) Circular No. 20 has institutionalized a "case build-up" process, mandating joint work between law enforcement and prosecutors in gathering and assessing evidence before filing. Prosecutors in Naga City strongly emphasized this need for collaboration. As KII 2 stated:

"It is important to maintain close coordination with police investigators and other investigative agencies during the investigation stage not only in case build-up but likewise in capacity building trainings and seminars, during actual work, and in the timely preparation of evidence."

KII 3 also shared the importance of early coordination:

"Coordination with the prosecutor's office prior to investigation to determine pieces of evidence to be gathered to prove the elements of the crime."

This collaboration helps align investigative strategies with legal requirements, ensuring investigators focus on collecting relevant material to prove the crime, thereby saving time and resources.

Proper case management and evidence handling. The effectiveness of legal proceedings hinges on the quality of case management and the integrity of evidence handling, which are fundamental to building strong, convincing arguments. Prosecutors must ensure every action, from obtaining evidence to documenting and presenting it in court, complies with the law to uphold justice. Challenges in Naga City include incomplete case files, chain of custody lapses, undertrained personnel, and lack of early coordination, all of which affect evidence admissibility and delay case resolution. Guaranteeing gathered evidence is sufficient to support a case is vital, as insufficient evidence can lead to dismissal.

KII 6: "The law enforcement agencies should be the first to adhere with the requirement to ensure that every requirement is available during trial."

KII 15: "The quantum of evidence is prima facie evidence. There is prima facie evidence if the case is sufficient for filing, if no, counter evidence is submitted."

KII 11: "The strategy is to make a list of all available evidence (testimonial and documentary) that will prove or support in establishing each and every element of the felony or offense."

Proper cataloging and documentation were also vital aspects, with KII 8 advising the creation of an inventory of evidence and KII 12 suggesting training for LEAs on evidence investigation and handling. KII 13, KII 7, and KII 8 further emphasized providing pro forma or checklists for documentary and object evidence compliance, as well as maintaining an inventory of evidence.

The preservation of the chain of custody was also a major point of focus. KII 6, KII 4, KII 16, KII 10, KII 13, and KII 3 collectively advocated for limiting the number of personnel handling evidence and ensuring proper documentation of each chain. They suggested that only officers with legal degrees should become investigators and that only experts should be assigned as poseur-buyers, searchers, evidence custodians, and investigators. KII 11, KII 6, KII 1, and KII 12 further emphasized the need to thoroughly mark and identify evidence and to strictly adhere to Supreme Court jurisprudence on handling.

Staying updated on jurisprudence and addressing discrepancies was also critical. KII 7, KII 3, KII 9, KII 6, and KII 14 stressed the importance of LEAs staying current with the latest jurisprudence and following DOJ Circular 20 on case build-up. KII 2 mentioned using the broken chain of custody as a point during cross-examination to challenge the evidence, while KII 3 suggested invoking legal doctrines for minor lapses. KII 1 focused on inconsistencies between witness testimonies and documentary evidence, and KII 16 advised dismissing minor cases involving light to moderate penalties while conducting case build-up for more serious offenses.

Witness management and testimonies. Witness testimony is crucial for successful criminal prosecutions, especially when physical or documentary evidence is limited. Effective witness management, from initial statements to court appearance, is critical for judicial process integrity. Prosecutors must meticulously evaluate and corroborate witness accounts due to potential biases and memory distortions.

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As shared by the participants:

KII 15: "Prepare the witness thoroughly. Help them understand the importance of their testimony."

KII 10: "Beforehand, should ensure that he/she is credible before presenting to the court."

Training and capacity building for law enforcers. The competence of law enforcement agencies (LEAs) in investigating crimes, collecting evidence, and adhering to procedural rules is essential for effective prosecution. Errors during the investigative stage can compromise the integrity of cases, underscoring the need for continuous training and capacity-building efforts. DOJ Circular No. 20 mandates closer coordination and improved case build-up processes to enhance case outcomes.

Regarding continuous training programs, KII 7, KII 8, KII 9, KII 6, KII 1, KII 4, and KII 5 collectively emphasized that "more training and seminars are a must." KKI 2 specified that these programs should focus on the rules of evidence, proper documentation, and chain of custody. KII 3 suggested inviting experts in the field to conduct specialized training and seminars, while KII 14 called for increased training for police officers assigned to investigating and filing cases, as well as the provision of more resources in terms of workforce and equipment. They also recommended inviting experts in evidence collection to guide police officers in these processes.

Funding and resource allocation were also significant concerns. KII 11 advocated for lobbying for funding to support these training programs, while KII 13 urged the Philippine National Police (PNP) to allocate more budget for training and expert lecturers. KII 15 emphasized the need to inform the direct superiors or chiefs of police officers about the necessity of training on preserving and collecting evidence.

The consistent demand for more training highlights the importance of ongoing capacity building, aimed at empowering law enforcers to become competent partners in the administration of justice. In response to these concerns, the study proposes a comprehensive training action plan, covering enhanced evidence collection, improved case build-up and documentation, specialized investigative skills for complex crimes, effective witness management, and sustained professional development for law enforcement personnel.

DISCUSSIONS

The findings from this study provide a comprehensive understanding of the challenges faced by public prosecutors in Naga City and offer insights into the strategies employed to address these issues. The study found that the most frequently handled cases are property crimes and homicide/murder/physical injury cases, which are perceived as presenting minimal to moderate challenges. On the other hand, more complex cases like drug-related offenses, rape/sexual assault/domestic violence, and cybercrimes are handled occasionally and present greater challenges due to their intricate nature. The infrequent handling of human trafficking cases and crimes involving children in conflict with the law suggests that while these crimes are significant, they are not as pervasive as other types, yet still present moderate challenges to prosecutors. The challenges related to these cases are reflective of their complexity, as they require specialized knowledge, sensitive handling, and advanced investigative techniques, which are not as commonly practiced in everyday case processing.

The study identified several categories of challenges faced by prosecutors, with evidence-related challenges emerging as a major concern. These include witness reliability, issues with the chain of custody, and incomplete or poorly prepared case files, all of which occurred "occasionally." The fact that these challenges are not isolated but recurring is critical. The persistence of these issues underlines systemic flaws rather than individual or sporadic errors, suggesting the need for more consistent and structured improvements in case preparation. Prosecutors noted that these challenges could lead to case dismissals, delays, or compromises in legal outcomes, especially when stringent evidentiary requirements are not met. This is consistent with the findings of Harahap (2023), who emphasized that frequent exposure to specific case types allows prosecutors to develop familiarity and efficiency in managing such cases. This can reduce perceived difficulty due to the development of a clear procedural routine.

Evidence-related challenges, such as witness reliability and issues with the chain of custody, have emerged as prominent challenges in this study. The frequency of these challenges, rated as occurring "occasionally," corresponds with findings from Singh (2024) on the significant impact of broken chains of custody on case outcomes. As noted, any break in the chain can lead to issues with the admissibility of evidence, which was reinforced by a Supreme Court decision in 2023 exonerating individuals due to a broken chain. This underscores the critical importance of ensuring that evidence is handled correctly to avoid legal complications, which supports the call for continuous training for law enforcement on evidence handling and case build-up (Peake, 2024).

The study highlights delays in case proceedings and the absence of parties during trials as occasional challenges, which mirrors O'Brien's (2012) assertion that procedural delays are common in complex criminal cases.

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These delays significantly impact the timely resolution of cases, as noted in the 2020 Ease of Doing Business Report, which ranked the Philippines among the countries with the longest case resolution periods in ASEAN.

The backlog of cases, though rated as a "rare" challenge, still points to a longer-term concern regarding judicial efficiency. This reflects the broader challenge faced by judicial systems worldwide, especially in regions with a high case volume, such as those noted by Justice Secretary Jesus Crispin Remulla (2023) when discussing the need for more prosecutors to handle the growing caseloads. The witness-related challenges in this study, such as credibility issues, reluctance to cooperate, and withdrawal due to safety concerns, align with findings from Resnick (2014), who emphasized the critical role of witness testimony in criminal cases. The low frequency of these challenges in Naga City suggests that while witness-related issues are not frequent, they still have a significant impact when they arise, particularly in sensitive or complex cases like rape or drug-related offenses. This corroborates Vanshika's (2023) assertion that effective witness management is essential for ensuring the integrity of the prosecution process.

The reluctance of witnesses to cooperate and witnesses withdrawing from cases due to safety concerns were flagged as "rare" but important challenges. This aligns with findings from previous studies on the fear and intimidation witnesses may face, which can undermine the integrity of testimonies and trial outcomes. However, legal mechanisms like subpoenas and witness protection programs, as highlighted in the study, serve as important tools in overcoming these challenges (Rule 21, Sec. 9, Rules of Court).

The strategies identified in the study, such as collaborative efforts, proper case management, witness management, and training for law enforcers, are well-supported by existing literature. The importance of early collaboration between prosecutors and law enforcement is highlighted in studies by Maslova (2023) and Aristyan (2024), who stress that coordination from the outset improves evidence handling and case build-up. The study's findings that prosecutors in Naga City emphasize timely preparation of evidence and ensuring sufficiency before filing cases reinforce this point.

Furthermore, proper evidence handling, chain of custody preservation, and witness management are aligned with Harris (2018) and Borah (2020), who emphasize the need for rigorous protocols to ensure that evidence is collected and preserved in line with legal requirements. The focus on continuous training and capacity building for law enforcement, as suggested in the study, echoes findings from Chen (2025) and Senjaya (2024), who stress the importance of equipping law enforcement officers with up-to-date skills to handle emerging and complex crime types.

CONCLUSION

Public prosecutors in Naga City frequently handle property crimes and violent offenses, which present minimal to moderate challenges. Drug-related cases, sexual offenses, and domestic violence occur occasionally and are moderately challenging due to their complexity. Rare cases like cybercrimes, human trafficking, and crimes involving children are also moderately challenging. A positive correlation exists between the frequency of handling complex cases and the perceived challenge, especially for drug-related cases and cybercrimes. However, correlations for homicide and property crimes are insignificant.

Prosecutors emphasize early collaboration with law enforcement, adherence to strict evidence handling protocols, and continuous training on digital forensics. They face challenges related to evidence quality, procedural issues, and limited resources. Despite these challenges, external pressures like political interference are rare, highlighting the strong integrity and autonomy within Naga City's prosecution system.

RECOMMENDATIONS:

The following recommendations are proposed to address the challenges faced by public prosecutors in Naga City. First, training sessions should be organized for both prosecutors and police officers, focusing on cybercrime, human trafficking, and juvenile justice to enhance case handling. The Department of Justice (DOJ) is encouraged to establish formal inter-agency protocols between prosecutors, law enforcement, and social workers for better coordination in complex cases. Additionally, the Naga City Police Office should provide advanced forensic training, particularly in witness handling and crime scene reconstruction, to improve investigative skills. To ensure the integrity of evidence handling, technology integration, such as barcodes or digital tracking systems, should be implemented for maintaining the chain of custody. Lastly, future research should conduct comparative studies across different regions to identify best practices and address region-specific prosecutorial challenges.

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