

Republic of the Philippines
House of Representatives
Quezon City

Fifteenth Congress

First Regular Session

House Bill No. **2399**

Introduced by the Honorable **ROMEO M. ACOP**

EXPLANATORY NOTE

The many incidences of prisoners escaping the supposed custody of law enforcement officials is a glaring example of how ineptitude and alleged monetary incentives can combine into a potent force which will result into freedom for detained prisoners facing justice.

As a disincentive therefore, a high penalty must be imposed on those jail guards and other persons who permit a detained prisoner to escape the clutches of the law. This will hopefully deter those who are charged with the custody of detained prisoners, specially the high profile ones, from allowing their charges to escape.

It is therefore earnestly requested that this measure be approved.


ROMEO M. ACOP

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AN ACT
AMENDING SECTION 223 OF ACT NO. 3815, OTHERWISE
KNOWN AS THE REVISED PENAL CODE

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled.

SECTION 1. Article 223 of Act No. 3815, otherwise known as the Revised Penal Code is further amended to read as follows:

"Art. 223. ***Conniving with or consenting to evasion.*** – Any public officer who shall, BY CONSENT, CONNIVANCE OR BY NEGLIGENCE, ALLOW the escape of a prisoner in his custody or charge, shall be punished:

1. By prision correccional in its medium and maximum periods and temporary special disqualification in its maximum period to perpetual special disqualification, if the fugitive shall have been sentenced by final judgment to any penalty.
2. By prision correccional in its minimum period and temporary special disqualification, in case the fugitive shall not have been finally convicted but only held as a detention prisoner for any crime or violation of law or municipal ordinance.
3. BY RECLUSION PERPETUA AND PERMANENT ABSOLUTE DISQUALIFICATION, IF THE FUGITIVE WHO IS HELD AS A DETENTION PRISONER HAS BEEN CHARGED FOR ANY CRIME PENALIZED BY RECLUSION PERPETUA TO DEATH."

4. IN ALL CASES, PUBLIC OFFICER OR OFFICERS INVOLVED
SHALL LOSE ALL BENEFITS DUE OR GRANTED BY THE GOVERNMENT.

SECTION. 2. This Act shall take effect fifteen [15] days after its complete
publication in the OFFICIAL GAZETTE.

Approved,