

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress
First Regular Session

House Bill No. 3657

Introduced by Rep. Daisy Avance-Fuentes

EXPLANATORY NOTE

The Constitution under Article II, Section 5 declares that the maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. The fulfillment of these basic needs depends to a large extent on efficient and effective law enforcement, administration of justice and rehabilitation of offenders.

In view thereof, this bill seeks to institute prison reforms and impose penalties for violations thereof.

Owing to the laxity in our correctional system, the bill specifies prohibited acts, including, among others, the transfer of prisoners without any court order, the granting of privileged treatment to certain prisoners, and the unauthorized "employment" of prisoners.

The bill also provides for other corrective measure such as a periodic and systematic inventory of all prisoners and the provision for prison labor only insofar as the judgment of conviction so specifies.

Approval of this bill is therefore earnestly requested.


DAISY AVANCE-FUENTES

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AN ACT
INSTITUTING PRISON REFORMS, IMPOSING A PENALTY FOR VIOLATIONS
THEREOF, PROVIDING APPROPRIATIONS THEREFOR AND FOR OTHER
PURPOSES.

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

SECTION 1. PROHIBITION/PENALTY. The following acts are hereby prohibited:

- (A) The transfer of convicted prisoners without any court order from the place of confinement specified in the judgment of conviction.
- (B) Affording privileged treatment to prisoners such as provision for amenities different from that given to other prisoners.
- (C) Solitary confinement or detention or holding a prisoner incommunicado.
- (D) Releasing a prisoner to the custody of any person who is not authorized by a court of law.
- (E) Subjecting a prisoner to labor not authorized in judgment or a court of law.
- (F) Failure to prevent the proliferation of drugs or other vices within the prison.
- (G) Failure by the accountable officer to account for a prisoner or to make an inventory of prisoners within his jurisdiction

The penalty of *prision mayor* shall be imposed for violation of this Section together with the accessory penalty of perpetual absolute disqualification for a public officer or employee.

SECTION 2. OTHER CORRECTIVE MEASURES:

(A) A periodic and systematic inventory of all prisoners shall be made by the Department of Justice (DOJ). Such system shall be implemented within six (6) months from the effectivity of this Act.

(B) Prison labor shall be allowed only where such is specified in the judgment of conviction.

(C) Rehabilitation colonies shall be established by the Department of Justice (DOJ). Prisoners eligible for rehabilitation shall be determined in accordance with the rules and regulations of the Department of Justice (DOJ).

Provided, however, that prisoners penalized by *prision mayor* to *reclusion perpetua* shall not be eligible for confinement or transfer to rehabilitation colonies.

SECTION 3. APPROPRIATIONS. Funds to be used for the implementation of this Act shall be taken from the appropriations of the Department of Justice (DOJ) as reflected in the Annual General Appropriations Act.

SECTION 4. IMPLEMENTING RULES AND REGULATIONS. The Department of Justice (DOJ) shall issue and publish the rules and regulations to implement the provisions of this Act.

SECTION 5. REPEALING CLAUSE. All laws, decrees, rules or regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. EFFECTIVITY CLAUSE. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

APPROVED,