

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 4082

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

The advancement of a national standard in the operational management of all local jails, which include provincial jails, sub-provincial jails and district, city and municipal jails, is of paramount importance to better uphold the basic and constitutional rights of inmates who are detained/serving their sentence in such jail facilities. With such standard firmly established and faithfully observed, there will be uniformity and boosted efficiency in the implementation of the plans and programs that are geared toward the more effective rehabilitation of inmates.

A present, Republic Act No. 6975 provides that "provincial jails shall be supervised and controlled by the provincial government within its jurisdiction". Hence under the said law, the Bureau of Jail Management and Penology (BJMP) is not tasked with the operational management, supervision and control of all the existing provincial jails.

In addition to the rationale stated above, this Act likewise offers the following advantages, to wit:

1. There will be established a uniform and standard policy on the administration and supervision of all local jails;
2. The administration and operation of all local jails will be entrusted to the BJMP, which is a specialized agency the mission of which is specially geared toward the safekeeping, reformation and rehabilitation of inmates. Thus, the objectives of the public safety and institutional correction through jail supervision and management could be better attained through this Act;
3. The provincial government will be unburdened with the task of supervising and maintaining a jail facility resulting to its being able to devote its focus to its more pressing responsibilities;
4. This Act will promote the professionalization of all jail personnel, which will now include the provincial jail guards.

It is therefore requested that this measure be approved.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

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Introduced by **REP. SALVADOR H. ESCUDERO III**

AN ACT
INTEGRATING ALL THE PROVINCIAL AND SUB-PROVINCIAL JAILS WITHIN
THE JURISDICTION OF THE BUREAU OF JAIL MANAGEMENT AND
PENOLOGY AMENDING FOR THAT PURPOSE CERTAIN PROVISIONS OF
REPUBLIC ACT NO. 7160, REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO.
9263

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

SECTION 1. This Act shall be known as "An Act Integrating All the Provincial and Sub-Provincial Jails within the Jurisdiction of the Bureau of Jail Management and Penology";

SEC. 2. The State shall maintain peace and order, protect life, liberty and property, and promote the general welfare that is essential for the enjoyment by all the people of the blessings of democracy. It recognizes its responsibility to enhance government in the maintaining peace and order through the institutionalization of a highly efficient and competent jail service under a unified jail management system;

SEC. 3. The management, supervision and control of provincial and sub-provincial jails, including all its property, equipment, and finances, are hereby transferred to the Bureau of Jail Management and Penology (BJMP);

The transfer, and/or absorption of the functions, appropriations, funds, records, equipment, facilities, chooses on action, rights, and other assets of Provincial and Sub-Provincial Jail to/by the BJMP shall be without prejudice to the provisions of R.A. 7160 that are not otherwise inconsistent with this Act;

All personnel of Provincial and Sub-Provincial Jails, unless removed for cause, shall be absorbed by the BJMP subject to such guidelines as may be implemented by the Oversight Committee created herein; *Provided:* that such guidelines must be consistent with the provisions of Republic Act No. 9263 and its implementing Rules and Regulations;

The Chief of the Bureau of Jail Management and Penology shall, within six (6) months from the effectivity of this Act, recommend the organizational structure and staffing of the assumed provincial and sub-provincial jails for the approval by the Oversight Committee.

SEC. 4. The Local Government of the Province shall be a partner of the BJMP in the rehabilitation of the inmates in the provincial jails. For this purpose, the Sangguniang

Panlalawigan of each province shall provide for the maintenance and improvement of jails and detention centers and shall appropriate funds for the subsistence of detainees and convicted prisoners in the province;

SEC. 5. The heads of the provincial and sub-provincial jails within the province must have the rank of Chief Inspector; *Provided:* that if the jail population is one thousand (1,000) or more inmates, the Warden shall be the rank of Superintendent. He/she must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactorily pass the necessary training or career courses for such position as may be established by the law;

SEC. 6. Upon the effectivity of this Act, the provincial jails, sub-provincial jails, and district, city and municipal jails shall be under the command and direction of the Chief of the Bureau of Jail Management and Penology who shall have the power to direct and control the movement, deployment, assignment, and utilization of all its units and personnel, including the absorbed jail guards of the transferred provincial and sub-provincial jails. This command and direction shall extend to the utilization of all the present equipment, facilities and other resources of the BJMP, which shall deem to include all such equipment, facilities and other resources of the provincial jails and sub-provincial jails;

SEC. 7. A Special Oversight Committee, composed of the Secretary of the Interior and Local Government as Chairman, The Secretary of the Department of Budget and Management as Co-chairman, and the Chairman of the Civil Service Commission, the President of League of Provinces and the Chief of the Bureau of Jail Management and Penology, as members, is hereby created to oversee the expeditious transfer and absorption into the Bureau of Jail Management and Penology of all personnel, property, appropriations and installations of the provincial and sub-provincial jails;

SEC. 8. The amount of _____ is hereby appropriated for the purposed of carrying out the provisions of this Act. Thereafter, such amount as may be necessary to implement the provisions of this Act shall be included in the Annual General Appropriations Act;

SEC. 9. Within ninety (90) days from the effectivity of this Act, the Oversight Committee shall promulgate the rules and regulations necessary to ensure the effective implementation of this Act;

SEC. 10. Should any part, section or provision of this Act be declared invalid or unconstitutional, the other parts, sections or provisions thereof shall remain valid and effective;

SEC. 11. All laws, orders, rules or regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly;

SEC. 12. This Act shall take effect fifteen (15) days after the completion of its publication in at least two (2) newspapers of general circulation.

Approved,