

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City



FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5741

Introduced by: Rep. Christopher S. Co and Rep. Rodel M. Batocabe

EXPLANATORY NOTE

This bill seeks to establish a separate detention facility for the detention prisoners who are involved in high-profile cases by reason of their relative position in the society, because their case is imbued with public interest, or otherwise involved in national security, and safety of the general public.

The objective of the proposed legislation is to address the problems of the special treatment in correctional facilities in favor of the rich and influential prisoners. However, it should also be considered that some prisoners may have legitimate and genuine concerns about their health, safety, and security. The facility that is sought to be established resolves both concerns such that the urgency of medical attendance may be addressed without having to resort to hospital arrests since the detention center will be adequately equipped with medical and health facilities.

Persons who are charged and/or convicted of delinquent acts or crimes must be segregated from society but there are also rights of an accused enshrined not only in the statutes but also in the Constitution. It is the government's having a dominant role control and supervise prisons, penitentiaries, jails, and detention centers, to promote public order and safety, and to provide offenders opportunities for correction, rehabilitation, and reformation. The government is therefore duty-bound to provide a balance between the rights of society, on the one hand, and rights of the accused, on the other.

In light of these circumstances, the swift passage of this bill is earnestly sought.

Hon. CHRISTOPHER S. CO

Hon. RODEL M. BATOCABE

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**AN ACT PROVIDING FOR THE ESTABLISHMENT OF A HIGH-PROFILE CRIME
DETENTION CENTER UNDER THE BUREAU OF CORRECTIONS, PROVIDING FUNDS
THEREOF AND FOR OTHER PURPOSES**

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

Section 1. Title. - This Act shall be known as the "High Profile Detention Center Act of 2012".

Section 2. Definition of Terms. -

- (1) "High Profile Cases" shall include cases which have attracted attention and publicity by reason of the relative position of the parties in society, cases imbued with public interest, or cases which involve national security and safety;
- (2) "Safekeeping" refers to the act of providing inmates with basic necessities, ensuring that the inmates are completely incapacitated from communicating with their outside networks;
- (3) detention prisoner are persons accused of non-bailable offenses and detained while awaiting investigation or trial

Section 3. Establishment of the High-Profile Crimes Detention Center. - There shall be established and maintained a secured, clean, and adequately-equipped detention center for the custody and safekeeping of detainees. The following shall be detained in the Center:

- (1) An accused in non-bailable offenses except those accused under the Comprehensive Dangerous Drugs Act of 2002;
- (2) An incumbent or former public officials or appointees accused of non-bailable offenses or high-profile case; or
- (3) An accused in high-profile cases as defined in Section 2 of this Act.

Sec. 4. Facilities of the Center - The High-Profile Center shall operate with standard and uniform design of Prison Facilities, Reformation Facilities, and Administrative Facilities, through all the operating Prison and Penal farms such as the following:

- (1) Dormitory;
- (2) Administrative Building;
- (3) Perimeter/Security Fences;
- (4) Hospital/Infirmary;
- (5) Recreation/Multipurpose Hall;
- (6) Training/Lecture Center;
- (7) Workshop Facility;
- (8) Mess Hall/Kitchen;
- (9) Visiting Area;
- (10) Water Tank and Pump;
- (11) Reception and Diagnostic Center;
- (12) Service Personnel Facilities;
- (13) Other facilities which may be required by the inmates' health and security.

Section 5. Supervision of the Center. - The Bureau of Correction and the Department of Justice shall exercise supervision and control over the Center, whose expenses shall be subsidized by the National Government for not more than three (3) years after the effectivity of this Act.

Section 6. Organization and Key Positions of the Center. - The Center shall be headed by a Chief Penal Superintendent with the rank of Superintendent. The organization shall adhere to the organizational framework currently in place in other Penal and Prison Farms under the Bureau of Corrections.

Section 7. Appropriation. - The funds required for the implementation of this Act shall be taken from the budget of the Bureau of Corrections for the current fiscal year.

Section 8. Implementing Rules and Regulations. - The Department of Justice, Bureau of Corrections, Civil Service Commission, and the Department of Budget and Management, within ninety (90) days from the effectivity of the Act, shall promulgate the rules and regulations necessary to implement the provisions of the Act.

Section 9. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

Section 10. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved: