

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

SIXTEENTH CONGRESS

_____ Regular Session

House Bill No. 6507



Introduced by Rep. **EVELIO R. LEONARDIA**

EXPLANATORY NOTE

In the Philippines, incarcerated persons commonly suffer inhumane conditions in prisons and detention facilities, the latter being too crowded, unsanitary, and unsafe. Rates of malnutrition and death among prisoners and detainees steadily rise with the miserable state of our prison conditions. Basic rights are being neglected and withheld leading to the debasement of the dignity of the human person.

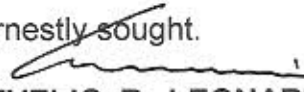
Prisons are high-risk environments for the transmission and spread of diseases and the poor conditions of these facilities create grave risks to communities in which released prisoners later on inhabit.

The dismal condition of prisons and detention facilities are mostly due to severe overcrowding, such installations being filled to capacity many times over. The sorry state of our prisons are also due to the inadequate provision of food and water supply, a lack of access to sanitary products and health care, and even arbitrary placement of different-aged prisoners.

This bill seeks to ensure that prisons and detention facilities are provided the most rudimentary sanitation and health care services and that prison spaces are not crammed.

This issue will be addressed by a coordinated implementing and monitoring body led by the Local Government Units (LGUs), the Department of Interior and Local Government (DILG), the Department of Health (DOH) and the Bureau of Jail Management and Penology (BJMP).

In view of the foregoing, passage of this bill is earnestly sought.


REP. EVELIO R. LEONARDIA
Lone District, Bacolod City

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AN ACT
TO IMPROVE CONDITIONS IN PRISONS AND OTHER DETENTION
FACILITIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER
PURPOSES.

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

SECTION 1. Short Title. This Act shall be known as the "Prison Conditions Improvement Act of 2016."

SECTION 2. Declaration of State Policy. It is a policy of the State to promote and protect the right to health, safety and dignity of every individual. In this light, it is incumbent upon the State to eliminate inhumane conditions in prisons and other detention facilities to uphold the rule of law and enhance the health and well-being of prisoners to aid in their rectification.

SECTION 3. Criteria. With respect to the operation or maintenance of prisons and other detention facilities, it is hereby mandated that all prisons and detention facilities must comply with the following standards:

A) The number of inmates or detainees held in a facility does not exceed the allowable prison capacity. Per capita floor area must allow for humane sleeping conditions and reasonable physical movement.

B) Human waste facilities are sanitary and accessible, and human waste is disposed of regularly and in appropriate places.

C) The lighting, ventilation, temperature, and physical construction of prisons and other detention facilities do not jeopardize the health and safety of prisoners and detainees.

D) Prisoners and other detainees are provided decent and adequate food and potable drinking water.

E) Prisoners and other detainees are provided essential and

emergency medical care and health services.

F) Prisoners and other detainees are allowed to practice their respective religions to a reasonable extent. They may be allowed contact with clergy, family, and friends, through correspondence and personal visits.

SECTION 4. *Report to Congress.*

A) *In General.* Not later than 180 days after the date of the enactment of this Act, and every year thereafter for a six-year period, the Secretary of Interior and Local Government together with the Secretary of Health shall submit to the appropriate congressional committees a joint report describing the conditions in prisons and other detention facilities in the country.

B) *Content.* The report required under subparagraph (A) shall describe the conditions that raise humanitarian concerns, including—

(i) a detailed and up to date review of the primary indicators set forth in Section 4;

(ii) an identification of prisons and facilities that do not meet one or more of the primary indicators for the elimination of inhumane conditions in prisons and other detention facilities but are making significant efforts to comply;

(iii) an identification of prisons and facilities that do not meet one or more of the primary indicators and are not making significant efforts to comply; and

(iv) the steps being taken by the Bureau of Jail Management and Penology (BJMP) to improve conditions in prisons and other detention facilities.

SECTION 5. *Implementing and Monitoring Agency.* The Department of Interior and Local Government (DILG) in coordination with local government units (LGUs), the Department of Health (DOH) and the Bureau of Jail Management and Penology (BJMP) shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days after its effectivity. They shall also conduct regular evaluation on the implementation of this Act.

SECTION 6. *Appropriations.* Appropriations needed for the implementation of this Act shall be derived from the Internal Revenue Allotment (IRA) of the LGUs and from sources provided by the Department of Interior and Local Government (DILG) and other government agencies.

SECTION 7. *Repealing Clause.* All laws, decrees, executive orders, presidential issuances, rules and regulations, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 8. *Separability Clause.* If any provision of this Act is declared

unconstitutional or otherwise invalid, the validity of the other provisions shall not be affected thereof.

SECTION 9. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.