



Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL No. 8003



**Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr., and
REP. CHRISTOPHER S. CO**

AN ACT
ESTABLISHING REGIONAL JAILS UNDER THE BUREAU OF CORRECTIONS,
PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill seeks to establish a jail or penal colony in each of the country's region to augment the existing district, city, and/or municipal jails.

The Duterte administration has made big strides in its fight against criminality and to promote peace and security. The government's successful campaign against illegal drugs, as well as the recent drive against street idlers, have resulted to thousands of detainees. The sudden increase in detainees, coupled with the slow legal process, has led to the worsened overcrowding of jails throughout the country¹.

In a 2017 report, the Commission on Audit has flagged the overcapacity in the country's prison facilities. According to the COA, the country's prison facilities which has a total floor area of 100,315sq.m should only hold a capacity of around 21,000, or around 4.7sq.m of space per person based on the United Nations Minimum Standard Rules for the Treatment of Prisoners. Currently, the total population in Philippine jails is 146,302 or an overcapacity of around 612%.²

This overcrowding in jails is a serious security and health risk and poses a myriad of sanitation problems. In fact, in January to February of this year, there has been a recorded 40% increase in upper respiratory tract infection, hypertension, allergic rhinitis, influenza, boils (*pigsa*), irritant contact dermatitis, scabies, acute gastroenteritis, asthma or bronchial asthma, and heat rash inside jails.³

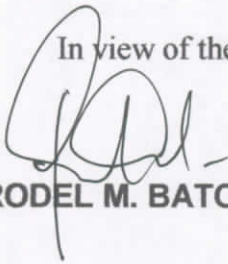
We urgently need to establish more prison facilities in the country, particularly in each region, in order to address the problem of overcrowding. With the enactment of this bill, each region shall have its own penitentiary which shall accommodate convicted prisoners instead of transferring them to the national penitentiaries.

¹ <http://www.gmanetwork.com/news/news/nation/659017/coa-drug-war-slow-legal-process-led-to-over-capacity-in-bjmp-jails/story/>

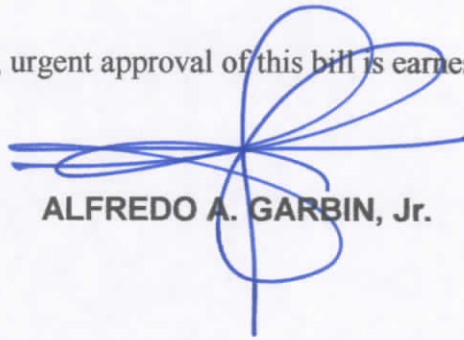
² <http://news.abs-cbn.com/news/07/03/18/overcrowded-ph-jails-housing-over-146000-inmates-above-20k-capacity-coa>

³ <https://news.mb.com.ph/2018/03/11/jail-congestion-at-600-spread-of-infectious-diseases-among-inmates-up-by-40-bjmp/>

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



RODEL M. BATOCABE



ALFREDO A. GARBIN, Jr.



CHRISTOPHER S. CO

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AN ACT
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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 "*Regional Penitentiary Act of 2018*".

Section 2. Policy. - It is declared the policy of the state to maintain peace and order, protect life, liberty and property, and promote the general welfare. It is further recognized that no degrading punishment shall be imposed against any prisoner or detainee, nor substandard or inadequate penal facilities be used to rehabilitate convicted prisoners.

Towards this end, the State shall provide for the improvement of prison facilities in each region to better address the needs of prisoners.

Section 3. Establishment of Regional Penal Colonies. - There shall be established and maintained in every geographic region a secured, clean adequately equipped and sanitary penal colony for the incarceration of convicted prisoners from such region.

The Bureau of Corrections, under the Department of Justice, shall establish and maintain these regional penal colonies. For purposes of this section, the Department of Justice, in coordination with the Department of Environment and Natural resources, shall identify suitable idle public lands in the region, for the construction of the penal colony.

Section 4. Prison Standards - It shall be the duty of the Bureau of Corrections, under the Department of Justice, to ensure that each regional penitentiary shall strive to adhere to the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and other national and international standards on just and humane treatment of prisoners.

The Bureau of Corrections, Department of Justice, and the Department of Public Works and Highways, in consultation with the Philippine National Police, Department of Interior and Local Government, and the Supreme Court of the Philippines, shall work together to design the regional penitentiaries to be consistent with the existing needs of prisoners in each region.

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2 prisoners in each region.

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5 **Section 5. *Implementing Rules and Regulations*** – The Department of Justice and the
6 Bureau of Corrections, in consultation with the Department of Budget and Management,
7 Department of Public Works and Highways, and Department of Environment and
8 Natural Resources, within ninety (90) days from the effectivity of the Act, shall
9 promulgate the rules and regulations necessary for the effective implementation of the
10 provisions of this Act.

11
12 **Section 6. *Appropriations*** - The sum of Two Billion Pesos (Php2,000,000,000.00) shall
13 be appropriated from the Philippine Treasury to be at the disposal of the Department of
14 Public Works and Highways for the purpose of constructing the regional penal colonies.
15 Thereafter, the amount necessary to carry out the operation and maintenance of the
16 regional penal colonies shall be included in the yearly budget of the Bureau of Corrections
17 provided for in the General Appropriations Act.

18
19 The fund may be augmented by grants, donations, and endowment from various
20 sources, domestic or foreign, for purposes related to their functions, subject to the existing
21 guidelines set by the government.

22
23 **Section 7. *Separability Clause***. - If, for any reason, any provision of this Act is declared
24 invalid or unconstitutional, the other sections or provisions not so declared shall remain
25 in full force and effect.

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27 **Section 8. *Repealing Clause***. - All other laws, rules, regulations, decrees, executive
28 orders, and other issuance or parts thereof which are inconsistent with the provisions of
29 this Act are hereby repealed or modified accordingly.

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31 **Section 9. *Effectivity*** - This Act shall take effect fifteen (15) days after its publication in
32 the Official Gazette or in at least two (2) newspapers of general circulation.

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35 Approved,