

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8459



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Social reintegration is often understood as the support given to offenders during their reentry into society following imprisonment. A broader definition, however, encompasses a number of interventions undertaken following an arrest to divert offenders away from the criminal justice system to an alternative measure, including a restorative justice process or suitable treatment. It includes imposing community-based sanctions rather than imprisonment in an attempt to facilitate the social reintegration of offenders within the community, rather than subjecting them to the marginalizing and harmful effects of imprisonment. For those who are sentenced to imprisonment, it includes correctional programs in prison, and aftercare interventions (United Nations Office on Drugs and Crime, 2006). In recent years, the post-release, community-based component of these interventions has been variously referred to as "aftercare", "transitional care", "reentry" or "reentry support", reintegration, or resettlement. Some post-release interventions may begin while the offender is still incarcerated with the intent of facilitating post-release adjustment.

The period of transition from custody to community can be particularly difficult for offenders and contribute to the stress that is associated with being supervised in the community. The period of incarceration may itself have had several "collateral effects" (Borzycki, 2005: 36; Borzycki and Makkai, 2007:10) upon many offenders: they may have lost their livelihood, their personal belongings, their ability to maintain housing for themselves and their family; they may have lost important personal relationships and incarceration may have damaged their social networks; they may have experienced mental health difficulties or acquired self-defeating habits and attitudes. Homelessness, in particular, may place youth at risk of offending (Arnull, et al., 2007) the failed reentry of prisoners into society involves some significant costs for society, both financial and in terms of public safety. The costs of programs to support the reintegration of offenders must be assessed against the benefits of avoiding these significant future social and financial costs.

In view of the issues abovementioned, this bill seeks to provide incentives to private establishments and institutions that hire former inmates. Such incentive shall be in the form of an additional deduction from the gross income, equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former inmates, to be given to business establishments employing such persons.

Moreover, a Committee on Employment Opportunities for Former Prisoners shall be created under the Department of Justice, which shall be responsible for the facilitation of training and employment of former inmates.

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



Rep. Gary C. Alejano

1 Appointees to the positions of Chairman and Vice Chairman must be holders of a
2 doctoral/masteral degree in business or public administration and/or lawyers with at least one year
3 experience in penology management.
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5 The Committee shall have a Technical Service Arm to assist it to carry out its duties and
6 functions.
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8 **SEC. 6. Tax Credit.**—Business establishments that will employ former prisoners upon the
9 effectivity of this Act shall be entitled to an additional deduction from their gross income,
10 equivalent to fifteen percent (15%) of the total amount paid as salaries and wages to former
11 prisoners, subject to Section 4 of the National Internal Revenue Code.
12

13 **SEC. 7. Implementing Rules and Regulations.**—The Secretary of Department of Justice
14 and the Secretary of Department of Labor and Employment shall, within thirty (30) days from the
15 effectivity of this Act, issue such rules and regulations necessary for the proper implementation of
16 the provisions of this law.
17

18 **SEC. 8. Appropriations.**—The amount necessary for the implementation of this Act shall be
19 included in the General Appropriations Act of the year following its enactment into law and
20 thereafter. An initial amount of One Hundred Million Pesos (P100,000,000.00), shall be allocated
21 for the first year of its implementation.
22

23 **SEC. 9. Repealing Clause.**—All laws, executive orders, executive issuances, or letters of
24 instructions, or any part thereof, inconsistent with or contrary to the provisions of this Act, are
25 hereby repealed, amended, or modified accordingly.
26

27 **SEC. 10. Separability Clause.**—If for any reason, any section or provision of this Act shall
28 be declared unconstitutional or invalid, the other parts thereof not affected shall remain valid.
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30 **SEC. 11. Effectivity.**—This Act shall take effect fifteen (15) days after its publication in at
31 least two (2) newspapers of general circulation.

Approved,