

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8517

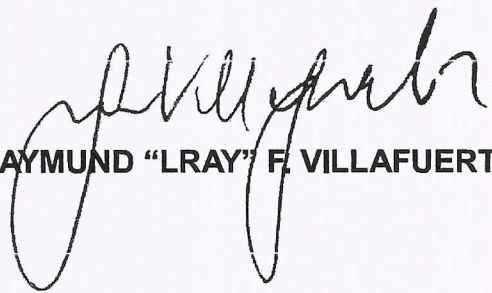


Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

AN ACT
INCREASING THE PENALTY FOR INFIDELITY IN THE CUSTODY OF PRISONERS,
AMENDING FOR THE PURPOSE ARTICLE 223 AND 224, CHAPTER 5, TITLE
SEVEN, BOOK TWO OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS
THE PENAL CODE

The Penal Code, Article 223 and Article 224, penalize any public officer who consents to the escape of a prisoner, or, through negligence, allows evasion. However, these provisions have a very weak deterrent effect because of the relatively light penalties imposable on public officers for such infidelity in the custody of prisoners.

This bill seeks to end the escape of prisoners which have been ensured with the active participation of public officers by increasing the penalties for infidelity in the custody of prisoners.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

SECTION 1. Article 223, Chapter 5, Title Seven, Book Two of Act No. 3815, as amended, otherwise known as the Penal Code is hereby amended to read as follows:

Article 223. Conniving with or consenting to evasion. – A public officer who shall consent to the escape of a prisoner in his physical custody or charge, shall be punished **WITHOUT PREJUDICE TO OTHER LIABILITIES UNDER THE OTHER PROVISIONS OF THE PENAL CODE, AS FOLLOWS:**

1. By **PRISON MAYOR IN ITS MEDIUM AND MAXIMUM PERIODS** (prison correctional in its medium and maximum periods) and **PERPETUAL ABSOLUTE DISQUALIFICATION** (temporary special disqualification in its maximum period to perpetual special disqualification), if the fugitive shall have been sentenced by final judgment to any penalty.

2. By **PRISON MAYOR IN ITS MINIMUM PERIOD** (prison correctional in its minimum period) and **PERPETUAL ABSOLUTE DISQUALIFICATION** temporary special disqualification), in case the fugitive shall not have been finally convicted but only held a as a detention prisoner for any crime or violation of law or municipal ordinance.”

SECTION 2. Article 224 of the same Act is hereby amended to read as follows:

“Article 224. Evasion through negligence. – If the evasion of the prisoner shall have taken place through the negligence of the officer charged with the conveyance or custody of the escaping prisoner, said officer shall suffer the penalties of PRISION CORRECTIONAL IN ITS MEDIUM AND MAXIMUM PERIODS (arresto mayor in its maximum period to prision correctional in its minimum period) and TEMPORARY ABSOLUTE DISQUALIFICATION (temporary special disqualification).”

SECTION 3. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,