



**Republic of the Philippines
House of Representatives
Quezon City, Metro Manila**

**Nineteenth Congress
First Regular Session**

HOUSE BILL NO. 7461



Introduced by Representative Rudys Caesar G. Fariñas I

EXPLANATORY NOTE

This bill promotes the general welfare and fundamental rights of those deprived of liberty and adheres to the principle of separate penitentiary institutions for different categories of offenders.

To this end, this measure establishes a separate, secure, and sanitary penitentiary for the custody and safekeeping of high-level offenders serving a sentence in the prison facilities of the Bureau of Corrections (BuCor). Among other salient provisions of this measure, the separate facility for high-level offenders shall be a state-of-the-art facility with surveillance cameras and the latest information technology and security systems capable of monitoring its inmates twenty-four (24) hours a day, and with enhanced and extensive security features on locks, doors, and its perimeters. In addition, the facility shall be maintained clean and habitable at all times. Sanitary and hygienic toilets and shower areas shall be provided and maintained.

Hence, this representation seeks the passage of this measure.



RUDYS CAESAR G. FARIÑAS I



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**AN ACT
ESTABLISHING A SEPARATE FACILITY FOR HIGH-LEVEL OFFENDERS
AND APPROPRIATING FUNDS THEREFOR**

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Separate Facility for
2 High-Level Offenders Act".

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4 **SEC. 2. Declaration of Policy.** – Pursuant to Article II, Section 5 of the
5 Constitution, which states that "(t)he maintenance of peace and order, the
6 protection of life, liberty, and property, and the promotion of the general welfare
7 are essential for the enjoyment by all the people of the blessings of democracy",
8 and Article II, Section 11 of the Constitution, which states that "[t]he State values
9 the dignity of every human person and guarantees full respect for human rights",
10 the State implements policies and programs to promote the general welfare and
11 the basic rights of every person deprived of liberty who are incarcerated in the
12 national penitentiaries. Furthermore, the State adheres to the principle that
13 different categories of persons deprived of liberty shall be kept in separate
14 institutions or facilities in consideration of their age, sex, criminal record, and
15 requirements for rehabilitation and reformation.

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17 **SEC. 3. Coverage.** – This Act shall apply to all high-level offenders serving
18 their sentences in penitentiaries and facilities of the Bureau of Corrections
19 (BuCor).

1
2 **SEC. 4. Definition of Terms.** – As used in this Act:
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4 (a) *High-level offender* refers to a person convicted of heinous crimes and
5 identified by the Director General of the BuCor as high-risk or high-profile,
6 taking into consideration the following factors, among others:
7

8 (1) The offense for which the inmate is convicted;
9

10 (2) Criminal record or history of the inmate;
11

12 (3) Affiliations.
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14 (b) *Secured and isolated place* refers to a place or location far away from
15 civilian communities that would ensure the safety and security of such
16 communities and protect the facility from possible intrusions or intruders.
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18 **SEC. 5. Establishment of Separate Facilities for High-Level Offenders.**

19 – There shall be established and maintained a separate, secure, and sanitary
20 penitentiary for the custody and safekeeping of high-level offenders serving
21 sentence in the prison facilities of the BuCor.
22

23 The separate facility for high-level offenders shall be built in a suitable
24 location to be determined by the Secretary of Justice, away from the general
25 population and other inmates, and preferably within a military establishment or
26 in an island separate from the mainland.
27

28 The facility shall be located in a secured and isolated place to ensure that
29 there is no unwarranted contact or communication from outside of the penal
30 institution. There shall be at least three (3) separate facilities for high-level
31 offenders, with one (1) facility each in Luzon, Visayas, and Mindanao.
32

33 Upon the establishment of such facilities, the BuCor shall include in its
34 classification system high-level offenders as defined in this Act who shall serve
35 their sentences in such separate facilities.
36

37 **SEC. 6. Transfer of High-Level Offenders to Separate Facilities.** – The
38 transfer of high-level offenders currently serving their sentences shall be made

1 within a period of thirty (30) days from the completion of the construction of such
2 facilities.

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4 **SEC. 7. The Facility.** – The separate facility for high-level offenders shall be
5 a state-of-the-art facility with surveillance cameras and the latest information
6 technology and security systems capable of monitoring its inmates twenty-four
7 (24) hours a day, and with enhanced and extensive security features on locks,
8 doors, and its perimeters. The facility shall be maintained clean and habitable
9 at all times. Sanitary and hygienic toilets and shower areas shall be provided
10 and maintained.

11
12 The Director General of the BuCor shall ensure that the high-level offenders
13 kept in such separate facilities are allowed to communicate with their relatives
14 or with their legal counsels only, under such conditions and circumstances as
15 may be recommended by the Director General and approved by the Secretary of
16 Justice.

17
18 **SEC. 8. Conduct of Inspection.** – An internal inspection, which is conducted
19 by the prison administration, and an external inspection, which is conducted by
20 the Department of Justice, shall be conducted on a regular basis to ensure that
21 the institution is administered in accordance with the Constitution, this Act and
22 other existing laws and regulations, and to attain the objectives of the penal
23 system.

24
25 **SEC. 9. Oversight.** – Congress shall conduct a regular review of the
26 compliance with this Act, which shall entail a systematic evaluation of the
27 performance of the concerned agencies with respect to its intent and objectives.
28 The review shall be undertaken by the Committees of the Senate and the House
29 of Representatives that have legislative jurisdiction over this Act.

30
31 **SEC. 10. Appropriations.** – The amount necessary for the implementation
32 of this Act shall be included in the General Appropriations Act.

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34 **SEC. 11. Implementing Rules and Regulations.** – Within ninety (90) days
35 from the effectivity of this Act, the Secretary of Justice shall, in coordination with
36 the Director General of the BuCor, promulgate the rules and regulations for the
37 effective implementation of this Act.

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39 **SEC. 12. Separability Clause.** – Should any provision of this Act be declared
40 invalid, the remaining provisions shall continue to be in force and effect.

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SEC. 13. *Repealing Clause.* – All other laws, decrees, orders, proclamations, rules, regulations and other issuances or parts thereof inconsistent with this Act are hereby amended or modified accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,