

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9088**



Introduced by Representative Marjorie Ann "Maan" A. Teodoro

EXPLANATORY NOTE

This bill seeks to institute violence against Persons with Disabilities as an Aggravating Circumstance in the Revised Penal Code as one of our measures to protect those prone to different kinds of abuses and discrimination.

Under Sec. 2(e) of Republic Act No. 7277 or the *Magna Carta for Disabled Persons*, it specifically states "to facilitate integration of disabled persons into the mainstream of society, the State shall advocate for and encourage respect for disabled persons. The State shall exert all efforts to remove all social, cultural, economic, environmental and attitudinal barriers that are prejudicial to disabled persons". They are defined in the same act that "Disabled persons are those suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner of within the range considered normal for a human being", which makes them one of the most vulnerable sectors worldwide; They are more prone to violence as they are not as mentally, physically and psychologically stable making it difficult for them to protect themselves from suspects.

In the Philippines alone, there are 1,187,563 registered Persons with Disabilities as of August 2023 as reported by the National Council on Disability Affairs. These individuals deserve protection from the State as part of our justice system against violators.

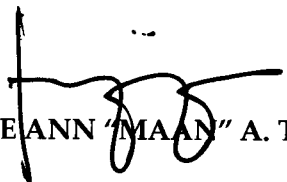
The U.S. Department of Justice published in 2021 the study of Erika Harrell, Ph.D., a BJS Statistician entitled "*Crime Against Persons with Disabilities, 2009 – 2019 – Statistical Tables*" stating the following:

1. From 2017 to 2019, 26% of PWDs were victims of nonfatal violent crimes,
2. 1 in 3 victims of robbery were PWDs,
3. 19% of rape cases were of those against PWDs compared to 36% of those persons without disabilities.

Inspite of the lack of data and statistics in the Philippines, violence against PWDs still exists and requires immediate action.

Therefore, to empower our PWDs and provide them equal protection against possible suspects, violence against PWDs shall be considered as an aggravating circumstance in the Revised Penal Code and suspects shall receive the appropriate penalty for their repulsive actions in accordance to the law

Thus, this bill is earnestly sought.



MARJORIE ANN "MAAN" A. TEODORO

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AN ACT
INSTITUTING VIOLENCE AGAINST PERSONS WITH DISABILITIES AS AN
AGGRAVATING CIRCUMSTANCE AMENDING ARTICLE 14 OF THE REVISED
PENAL CODE, AS AMENDED BY REPUBLIC ACT NO. 10951

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

SECTION. 1. The Revised Penal Code, as amended by Republic Act No. 10951, is hereby amended by inserting a new section designated as Article 14 (22) to read as follows:

Article 14. *Aggravating Circumstances.* The following are aggravating circumstances:

x x x x

"22. That the crime be committed against Persons with Disabilities (PWDs) in accordance with Republic Act No. 7277 or the Magna Carta for Disabled Persons Act" and its amendments.

SEC. 2. Repealing Clause. All laws, executive orders, presidential decrees, issuances, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. Separability Clause. If any provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 4. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,