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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 4448



INTRODUCED BY REP. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

15 As a public servant, ensuring the safety and well-being of our communities is a prime
16 responsibility and commitment. A critical, and often overlooked, component of this
17 commitment lies in the effective management and security of our correctional facilities. It is
18 with this in mind that this crucial piece of legislation is being introduced – the Enhanced
19 Contraband Control Act.

20 The reality is stark: the country's prisons and jails are too often plagued by the presence
21 of contraband. From illegal drugs and weapons to unauthorized communication devices, these
22 items undermine the very purpose of incarceration, creating an environment of danger and
23 lawlessness within facilities designed to rehabilitate and reform. This not only puts inmates
24 and staff at risk but also poses a significant threat to the safety and security of our society as a
25 whole.

26 Current laws and procedures have proven insufficient to address this increasingly
27 pressing issue. Smuggling and the presence of unauthorized items remain rampant, fueled by
28 a combination of inadequate detection methods, lax enforcement, and, in some cases, the
29 complicity of corrupt personnel.

30 This bill, the Enhanced Contraband Control Act, is a comprehensive and forward-
31 thinking solution. It seeks to:

- 32 • Modernize our approach: to dramatically improve our ability to intercept
33 contraband before it enters the system, this measure mandates the use of advanced
34 detection technologies, like body scanners and K-9 units, at all correctional
35 facilities;
- 36 • Strengthen security protocols: this bill establishes clear and stringent guidelines for
37 visitor registration, staff screening, and facility searches, ensuring a consistent and
38 effective defense against the introduction of unauthorized items.
- 39 • Hold offenders accountable: the penalties for contraband-related offenses are
40 proposed to be increased, sending a clear message that these activities will not be
41 tolerated. This includes strict penalties for facility employees who abuse their
42 positions to facilitate the entry of contraband.

43 These decisive steps can create safer and more secure correctional facilities - providing
44 a more secure environment for inmates, protecting the dedicated men and women who work in
45 these facilities, and significantly reducing the risk of contraband-fueled crime spilling into our
46 communities.

1 This bill is not simply about punishment; it is about rehabilitation, public safety, and
2 restoring confidence in our justice system. It aims to create an environment where inmates can
3 genuinely focus on reform, free from the destructive influences of contraband. It is to protect
4 communities and ensure a safer future for all Filipinos.

5 Hence, support for this vital legislation is earnestly sought.

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9 **MARCELINO " MARCY" R. TEODORO**

10 *Representative*

11 1st District, Marikina City

1 (4) Tobacco products, including cigarettes, electronic cigarettes (vapes), and other
2 nicotine delivery systems, except as specifically authorized by facility regulations for
3 designated areas;

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5 (5) Currency and monetary instruments exceeding amounts authorized by facility
6 regulations;

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8 (6) Electronic communication devices, including cell phones, computers, and
9 accessories, except as specifically authorized for legal communication or rehabilitation
10 programs;

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12 (7) Signal jammers or devices capable of disrupting communication systems;

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14 (8) Items of significant value or luxury, the possession of which is not essential for
15 basic living and which could create inequality, security risks, or an environment
16 conducive to exploitation within the facility;

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18 (9) Any item that has been modified or altered from its original purpose to be used as a
19 weapon or to facilitate escape; and

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21 (10) Any other item deemed contraband by the facility head based on reasonable
22 grounds related to security, safety, or the orderly administration of the facility, provided
23 that such items are clearly identified in facility regulations.

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25 (b) Correctional Facility or Penal Facility – refers to any institution, penitentiary,
26 prison, penal farm, colony, or security camp under the supervision of the Bureau of Corrections
27 (BuCor) or other government agency where persons are serving sentences for criminal
28 offenses.

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30 (c) Custodial Facility – refers to any facility, cell, or place used to hold persons under
31 investigation, awaiting trial, or held in lawful custody, but not yet sentenced. This includes
32 police lock-ups and other temporary holding areas.

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34 (d) Detention Facility – refers to any jail, cell, or place where persons are lawfully
35 confined while awaiting investigation, trial, or transfer to a correctional facility or medical
36 institution.

37
38 (e) Person Deprived of Liberty (PDL) – refers to any individual lawfully confined in a
39 correctional, custodial, or detention facility, including detainees, inmates, and prisoners.

40
41 (f) Contraband Detection and Control System (CDCS) – refers to the comprehensive
42 set of policies, procedures, personnel, and equipment employed to prevent the entry,
43 possession, and proliferation of contraband within correctional, custodial, and detention
44 facilities.

45
46 **SEC. 4. Mandatory Implementation of Contraband Detection and Control Systems-** All
47 government agencies and local government units operating correctional, custodial, and
48 detention facilities shall establish and maintain a comprehensive CDCS. The CDCS shall
49 include, but not be limited to:

(a) Regular and thorough searches of PDLs, visitors, staff, and all areas within the facility, using both manual and technological methods;

(b) Installation and maintenance of modern detection technology, including walk-through metal detectors, X-ray scanners, body scanners, and explosive detectors, at all entry points;

(c) Deployment of K-9 units trained in the detection of drugs, explosives, and other contraband;

(d) Secure storage and handling procedures for confiscated contraband;

(e) Thorough screening and background checks for all personnel, including regular rotation of staff assignments;

(f) Implementation of a visitor management system, including registration, identification verification, and restrictions on items brought into the facility;

(g) Training programs for all personnel on contraband detection, security protocols, and ethical conduct;

(h) Establishment of a confidential reporting mechanism for staff and PDLs to report suspected contraband activity without fear of reprisal; and

(i) Regular audits and inspections to assess the effectiveness of the CDCS and identify areas for improvement.

The Department of Justice (DOJ) and the Department of the Interior and Local Government (DILG) shall jointly develop minimum standards and guidelines for CDCS implementation, taking into account the size, security level, and resources of each facility.

SEC. 5. *Registration and Identification of Visitors.* All visitors to correctional, custodial, and detention facilities shall be required to register and present valid identification prior to entry. Acceptable forms of identification shall include: (a) government-issued identification cards with photograph and signature; and (b) other documents as specified by the facility head, provided that they allow for positive identification and verification. The facility shall maintain a record of all visitors, including their names, addresses, purposes of visit, and items brought into the facility.

Visitors may be subject to search and screening procedures before being allowed entry. Refusal to comply with registration or screening procedures shall be grounds for denial of entry.

SEC. 6. *Prohibited Acts and Penalties.* The following acts are prohibited and shall be subject to the penalties outlined below:

(a) Introducing or attempting to introduce contraband into a correctional, custodial, or detention facility;

1 (b) Possessing, concealing, or facilitating the possession of contraband within a
2 correctional, custodial, or detention facility;

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4 (c) Aiding, abetting, or conspiring with others to introduce or possess contraband
5 within a correctional, custodial, or detention facility;

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7 (d) Failing to report knowledge of contraband activity within a correctional, custodial,
8 or detention facility; and

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10 (e) As a facility employee, neglecting to follow or intentionally circumventing
11 contraband detection and control procedures, or abusing power to bring contraband.
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13 The following penalties shall be imposed on the aforementioned violations:

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15 (a) Any person, including visitors and PDLs, found guilty of violating subsections (a),
16 (b), or (c) with respect to firearms, explosives, or illegal drugs shall be subject to
17 imprisonment for a term of not less than twelve (12) years and one (1) day to twenty
18 (20) years, and a fine of not less than Five Hundred Thousand Pesos (₱500,000.00) to
19 One Million Pesos (₱1,000,000.00).
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21 (b) Any person, including visitors and PDLs, found guilty of violating subsections (a),
22 (b), or (c) with respect to other forms of contraband shall be subject to imprisonment
23 for a term of not less than six (6) years and one (1) day to twelve (12) years, and a fine
24 of not less than Two Hundred Thousand Pesos (₱200,000.00) to Five Hundred
25 Thousand Pesos (₱500,000.00).
26

27 (c) Any person found guilty of violating subsection (d) shall be subject to imprisonment
28 for a term of not less than one (1) year to three (3) years, and a fine of not less than
29 Fifty Thousand Pesos (₱50,000.00) to One Hundred Thousand Pesos (₱100,000.00).
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31 (d) Any employee of a correctional, custodial, or detention facility found guilty of
32 violating any provision of this section shall be subject to imprisonment for a term
33 double that of the penalty for non-employees, and a fine double that of the non-
34 employee fine. The said employee shall be perpetually disqualified from holding public
35 office, and all retirement benefits shall be forfeited.
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37 The penalties prescribed in this section shall be in addition to any other penalties
38 provided for under existing laws.
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40 **SEC. 7. Authority to Conduct Searches and Seizures.** All authorized personnel of
41 correctional, custodial, and detention facilities shall have the authority to conduct regular and
42 random searches of PDLs, visitors, staff, and all areas within the facility to detect and
43 confiscate contraband. Such searches shall be conducted in a manner that respects human
44 dignity and in accordance with established procedures and protocols.
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46 **SEC. 8. Implementing Rules and Regulations.** The DOJ and DILG, in coordination with the
47 BuCor and other relevant agencies, shall promulgate the implementing rules and regulations
48 (IRR) of this Act within sixty (60) days of its effectivity.
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1 **SEC. 9. *Separability Clause.*** If any provision of this Act is declared invalid or unconstitutional,
2 the remaining provisions shall remain in full force and effect.

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4 **SEC. 10. *Repealing Clause.*** All laws, decrees, orders, rules, regulations, and other issuances
5 inconsistent with this Act are hereby repealed or modified accordingly.

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7 **SEC. 11. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication in the
8 Official Gazette or in a newspaper of general circulation.

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10 Approved,
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