



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 2626**



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Introduced by **Representative GLORIA MACAPAGAL-ARROYO**

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**AN ACT**  
**ESTABLISHING A SEPARATE FACILITY FOR PRISONERS CONVICTED OF**  
**HEINOUS CRIMES**

**EXPLANATORY NOTE**

One of the mandates of the Bureau of Corrections (BuCor) in safekeeping of prisoners or inmates is to classify them into reasonable categories for rehabilitation, treatment and protection of society, especially high value offenders involved in illegal drugs and heinous crimes while serving their sentences.

In line with such mandate and in view of repetitive record of instances probing the failure of the current treatment program and security measures of the BuCor in containing and preventing high level inmates, particularly those convicted of illegal-drug related crimes, from continuing illegal activities such as possession, trading and trafficking of illegal drugs while under detention, this measure is hereby proposed to establish a separate facility for prisoners convicted of heinous crimes (as defined by Republic Act No. 7659).

The bill aims to create the Heinous Crimes Facility for the custody and safekeeping of offenders convicted of heinous crimes under the operation of the Bureau of Prisons. The facility shall be built in a suitable location to be determined by the Secretary of Justice, preferably within a military establishment or in an island separate in the mainland. The facility shall be located in a secured and isolated place ensuring that there is no unwarranted contact or communication with those outside of the penal facilities. There shall be three (3) Heinous Crimes Facility for heinous crimes starting in Luzon, then in Visayas and in Mindanao.

The proposed measure will strengthen the country's fight against drug crimes and other heinous crimes.

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



**GLORIA MACAPAGAL ARROYO**  
2nd District, Pampanga



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(b) Inmates - shall refer to an inmate sentenced by a court to serve a term of imprisonment for more than three (3) years or to a fine of more than One thousand pesos (P 1,000); or regardless of the length of sentence imposed by the court, to one (1) sentenced for violation of customs law or other laws within the jurisdiction of the Bureau of Customs or enforceable by it; or for violation of immigration and election laws; or to one (1) sentenced to 2 serve two (2) or more prison sentences in the aggregate 3 exceeding the period of three (3) years, whether or not he has appealed. It shall also include a person committed to the Bureau of Corrections (BuCor) by a court or competent authority for temporary confinement for similar purpose.

(c) Secure and isolated place — shall refer to a safe and remote place that has minimal contact with civilian communities that would ensure the safety and security of the former and prevent the facility from possible intrusion or intruders.

(d) Heinous Crimes - shall refer to crimes defined under Republic Act No. 7659, which are considered as heinous for being grievous, odious and hateful offenses and which, by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and ordered society. Heinous crimes shall include the following: treason; piracy in general and mutiny on the high seas in Philippine waters; qualified piracy; qualified bribery; parricide; murder; infanticide; kidnapping and serious illegal detention, robbery with violence against or intimidation of persons; destructive arson; and rape.

**Sec. 4. Creation of Heinous Crimes Facility.** - There shall be established and maintained a secure, clean, adequately equipped and sanitary national penitentiary for the custody and safekeeping of offenders convicted of heinous crimes under the operation of the Bureau of Prisons.

**Sec. 5. Coverage.** - This Act shall apply to all high level heinous crimes offenders kept at the prison facilities of the Bureau of Corrections (BuCor).

**Sec. 6. Transfer of Heinous Crimes Offenders to the Heinous Crimes Facilities.** - The transfer of inmates shall be headed by the BuCor. The BuCor may seek the assistance of the Department of the Interior and Local Government (DILG), through the Philippine National Police (PNP), when the means of transporting the inmates will be done through the use of an aircraft vessel. The expenses in relation to the said transfer shall be charged against the budget of the BuCor. During the transfer of inmates from the prison facilities of the BuCor to the Heinous Crimes Facility, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult,

74 curiosity and publicity in any form. Moreover, any inconvenience or  
75 unnecessary physical hardships on th inmates while they are being transferred  
76 shall be prohibited. Separate vehicles should be used for male and female  
77 prisoners: Provided, That women inmates and minors between fifteen (15) and  
78 seventeen (17) years of age shall be transferred and kept in a separate building  
79 inside the heinous crime facility. When the transfer has been fully executed, a  
80 report jointly prepared by the PNP and the BuCor shall be submitted to the  
81 President of the Senate and the Speaker of the House of Representatives. The  
82 transfer of inmates shall be made within a period of thirty (30) days from the  
83 completion of the construction of the Heinous Crimes Facility.

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85 **Sec. 7. Location of the Heinous Crimes Facility.** — The Heinous Crimes  
86 Facility shall be built in a suitable location to be determined by the Secretary of  
87 Justice, preferably within a military establishment or in an island separate in  
88 the mainland. The Heinous Crime Facility shall be located in a secured and  
89 isolated place ensuring that there is no unwarranted contact or communication  
90 with those outside of the penal facilities. There shall be three (3) Heinous Crimes  
91 Facility for heinous crimes starting in Luzon, then in Visayas and Mindanao.

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93 **Sec. 8. The Facility.** - The Heinous Crimes Facility shall be a state-of-the-  
94 art facility with surveillance cameras, latest information and security system  
95 capable of 24/7 monitoring of prisoners, and with enhanced and extensive  
96 security features on locks, doors, and its perimeters. The facility shall be  
97 maintained clean and habitable at all times. Sanitary and hygienic comfort  
98 rooms shall be provided and maintained. Due regard shall be given to the mental  
99 health issues and needs of inmates. Prisoners shall have access to necessary  
100 health care services without discrimination on the grounds of their legal status.

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102 **Sec. 9. Visitation.** — Family and immediate relatives are allowed to visit  
103 the inmates, subject to further rules and regulations imposed.

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105 **Sec.10 Conduct of Inspection.** - An internal inspection by the prison  
106 administration, and an external inspection by the Department of Justice (DOJ),  
107 shall be conducted on a regular basis to ensure that the facility is administered  
108 in accordance with existing laws and regulations and to bring about the  
109 attainment of the objectives of the penal system.

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111 **Sec. 11. Conduct of Random Drug Testing.** — There shall be conducted a  
112 regular random drug testing among the inmates in the Heinous Crimes Facility.  
113 The random drug testing shall be done by any forensic laboratories or by any of  
114 the drug testing laboratories accredited and monitored by the Department of  
115 Health (DOH) to safeguard the quality of test results.

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117 **Sec. 12. Joint Congressional Oversight Committee on Separate Facility for**  
118 **Heinous Crimes Inmates Act.** - There is hereby created a Joint Congressional  
119 Oversight Committee composed of the Chairman of the Senate Committee on

120 Justice and Human Rights and the Chairman of the House Committee on  
121 Justice, with four (4) members each from both Houses. The said members shall  
122 be duly appointed by the Senate President and the Speaker of the House of  
123 Representatives from the members of the respective committee based on the  
124 proportional representation of the parties or coalition therein. The Joint  
125 Oversight Committee shall review and monitor its proper implementation.  
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127 **Sec. 13. *Information Technology Systems.*** — The BuCor shall make sure  
128 that there will be an effective and efficient information technology systems to be  
129 used in the build-up, maintenance and transmittal of necessary inmate records  
130 to all the prison and penal farms of the BuCor and other authorized government  
131 agencies.  
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133 **Sec. 14. *Implementing Rules and Regulations (IRR).*** - The Secretary of  
134 Justice shall promulgate the IRR of this Act within ninety (90) days upon its  
135 effectivity.  
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137 **Sec. 15. *Reportorial Requirement.*** - The BuCor shall submit a biannual  
138 report to the President of the Senate and the Speaker of the House of  
139 Representatives starting from the commencement of the construction of the  
140 heinous crimes facility until its completion. Prior to the completion of the  
141 construction of the heinous crimes facility, the report shall include the progress  
142 of the construction and the information on the application of the budget in  
143 relation to the aforesaid construction. When the premises of the heinous crimes  
144 facility has been completed and occupied and occupied by the high-level drug  
145 offenders, the report on the status of the implementation of this Act shall be  
146 submitted annually.  
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148 **Sec. 16. *Funding Source.*** — The funds required for the implementation of  
149 this Act shall be taken from the budget of the Department of Justice for the  
150 current fiscal year. Thereafter, such amounts as may be necessary to implement  
151 this Act shall be included in the annual General Appropriations Act.  
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153 **Sec. 17. *Separability Clause.*** — If any portion or provision of this Act is  
154 declared unconstitutional, the remainder of this Act or any provision not affected  
155 thereby shall remain in force and effect.  
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157 **Sec. 18. *Repealing Clause.*** - All laws, decrees, orders, and issuances, or  
158 portions thereof, which are inconsistent with the provisions of this Act, are  
159 hereby repealed, amended or modified accordingly.  
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161 **Sec. 19. *Effectivity.*** - This Act shall take effect after fifteen (15) days  
162 following the completion of its publication either in the Official Gazette or in a  
163 newspaper of general circulation in the Philippines.  
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165 Approved,