

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4707



Introduced by **HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.,
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY “HORI” G.
HORIBATA AND HON. NICOLAS “NICK” ENCISO VIII**

EXPLANATORY NOTE

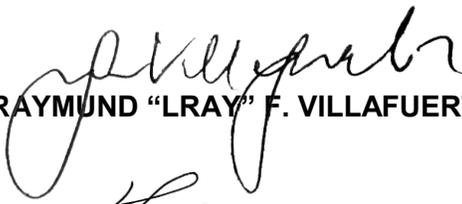
Republic Act No. 6975 otherwise known as the "Department of the Interior and Local Government Act of 1990" provides that the Bureau of Jail Management and Penology (BJMP) shall exercise supervision and control over all city and municipal jails while provincial jails shall be supervised and controlled by the provincial government within its jurisdiction. Such fragmented setup has led to gaps in standards in the treatment of persons deprived of liberty.

Records from the BJMP show that of the 74 provincial jails nationwide, 13 provincial jails are now being supervised and manned by the BJMP by virtue of a memorandum of agreement between the LGUs and the provincial governments. Meanwhile, seven provinces have no provincial jails. The DILG through Secretary Eduardo Año has expressed support to such integration, noting that the transfer of provincial jails to BJMP *“will also be advantageous to the local governments”* as they will not anymore worry about issues like riots, jailbreaks, salaries of local jail personnel, and meals for inmates.

According to the Department of the Interior and Local Government (DILG), some jails managed by local government units usually employ ill-trained and equipped personnel and lack adequate facilities making them prone to escapes. In 2016, eight members of a local terrorist group escaped the Lanao del Sur Provincial Jail located in Marawi City after fully armed men stormed the prison, which authorities believed was a rescue operation to free the leader of the local terrorist gang Maute Group. In 2018, an inmate was killed while trying to escape with six others from the Maguindanao Provincial Jail. The inmates managed to bolt out by tinkering with the jail’s main locks while jail authorities were preparing the day’s pre-dawn meal for the Ramadan fasting inside the prison facility.

To further prevent jailbreaks, this bill seeks to integrate all provincial jails into the BJMP to professionalize and standardize the management of jails at the local level. This measure will also ensure that local jails are manned by highly-trained and competent jail personnel.

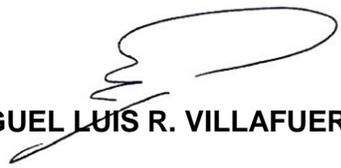
In consideration of the foregoing premises, the passage of this bill is humbly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.



TSUYOSHI ANTHONY "HORI" G. HORIBATA



MIGUEL LUIS R. VILLAFUERTE



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**AN ACT
TRANSFERRING TO THE BUREAU OF JAIL MANAGEMENT AND
PENOLOGY THE AUTHORITY TO EXERCISE SUPERVISION AND
CONTROL OVER PROVINCIAL JAILS AND APPROPRIATING
FUNDS THEREFOR**

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

SECTION 1. The Bureau of Jail Management and Penology shall exercise supervision and control over provincial jails. For this purpose the current supervision and control of provincial jails by provincial governments are hereby transferred to the Bureau of Jail Management and Penology. Each provincial jail shall be headed by a provincial jail warden with a rank of superintendent who must be a graduate of Bachelor of Laws or a holder of a master’s degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for superintendent position as may be established by the Bureau of Jail Management and Penology.

A provincial jail warden shall be appointed by the Chief of the Jail Bureau and the appointment must be attested to by the Civil Service Commission.

SECTION 2. Within six (6) months from the effectivity of this Act, the Secretary of the Interior and Local Government and the Secretary of Budget and Management shall revise the organizational structure and staffing pattern of the Bureau of Jail Management and Penology to include the necessary manpower to operate provincial jails.

SECTION 3. All the existing provincial jail facilities, equipment, records, rights, liabilities and other assets pertaining to provincial jails of every provincial government are hereby transferred to the Bureau of Jail Management and Penology.

The incumbent personnel of provincial jails shall continue to perform their duties and responsibilities in a holdover capacity until such time that qualified personnel are, based on the staffing pattern, assigned and appointed. The qualified incumbent personnel of provincial jails may be absorbed by the Bureau of Jail Management and Penology without loss of seniority.

Any personnel who are not absorbed by the Bureau of Jail Management and Penology shall be given preference in the filling-up of vacancies in the provincial government or shall be allowed to retire under existing laws, rules and regulations.

SECTION 4. The amount necessary for the initial implementation of this Act shall be sourced from the current appropriations of the Bureau of Jail Management and Penology. Thereafter, such sums as may be necessary for the continued implementation of this Act must be included in the General Appropriations Act.

SECTION 5. Within ninety (90) days from the approval of this Act, the Secretary of the Interior and Local Government, in coordination with the Chief of the Bureau of Jail Management and Penology and the President of League of Provinces, shall promulgate the rules and regulations implementing the provisions of this Act. The implementing rules

and regulations issued pursuant to this section shall take effect thirty (30) days after its publication in two (2) newspapers of general circulation.

SECTION 6. Sections 61, 62 and 63 of Republic Act No. 6975, as amended, otherwise known the “Department of the Interior and Local Government Act of 1990,” and Section 17(b)(3)(vi) of Republic Act No. 7160, as amended, otherwise known as “The Local Government Code of 1991,” are hereby amended and modified accordingly.

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

Approved,