



HOUSE OF REPRESENTATIVES

H. No. 10355

BY REPRESENTATIVES HARESCO, VILLAFUERTE, ROMUALDEZ (F.M.), OLIVAREZ, SAVELLANO, TAMBUNTING, NIETO, VELOSO, YAP (E.), FLORES, NOGRALES (J.J.), OAMINAL, FORTUN, PADUANO, GONZAGA, REVILLA, RODRIGUEZ, YU, AGABAS, DE VENECIA, FARIÑAS (R.C.), QUIMBO, ERMITA-BUHAIN, BAUTISTA-BANDIGAN, CALDERON, CAMPOS, CUARESMA, DALIPE, DAZA, FARIÑAS I (R.C.), GASATAYA, GO (E.C.), GONZALEZ, LIMKAICHONG, MATUGAS, NUÑEZ-MALANYAON, SAGARBARRIA, SALCEDA, SUAREZ (D.), TEJADA, UY (J.), VIOLAGO, ZUBIRI, AMANTE-MATBA, BARBA, BASCUG, BENITEZ, BORDADO, CABREDO, CAOAGDAN, DAGOOC, DELOS SANTOS, DELOSO-MONTALLA, DIMAPORO (A.), DUJALI, FORTUNO, GUYA, HOFER, LABADLABAD, MACEDA, MARIÑO, NATIVIDAD-NAGAÑO, NAVA, ROMAN, SILVERIO, TAN (A.S.), TAN (A.), TIANGCO, TORRES-GOMEZ, TUTOR, VERGARA, CABOCHAN, KHO (E.), ROMULO, SARMIENTO AND TUPAS, PER COMMITTEE REPORT NO. 1292

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".
3
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 protection
6 of life, liberty, and property, and the promotion of the general welfare are essential
7 for the enjoyment by all the people of the blessings of democracy", and Article II,
8 Section 11 of the Constitution, which states that "[t]he State values the dignity of
9 every human person and guarantees full respect for human rights", the State
10 implements policies and programs to promote the general welfare and the basic rights
11 of every person deprived of liberty who are incarcerated in the national penitentiaries.

1 Furthermore, the State adheres to the principle that different categories of persons
2 deprived of liberty shall be kept in separate institutions or facilities in consideration of
3 their age, sex, criminal record, and requirements for rehabilitation and reformation.
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5 **SEC. 3. Coverage.** – This Act shall apply to all high-level offenders serving their
6 sentences in penitentiaries and facilities of the Bureau of Corrections (BuCor).
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8 **SEC. 4. Definition of Terms.** – As used in this Act:
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10 (a) *High-level offender* refers to a person convicted of heinous crimes and
11 identified by the Director General of the BuCor as high-risk or high-profile, taking into
12 consideration the following factors, among others:
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14 (1) The offense for which the inmate is convicted;

15 (2) Criminal record or history of the inmate;

16 (3) Affiliations.
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19

20 (b) *Secured and isolated place* refers to a place or location far away from civilian
21 communities that would ensure the safety and security of such communities and
22 protect the facility from possible intrusions or intruders.
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24 **SEC. 5. Establishment of Separate Facilities for High-Level Offenders.** –
25 There shall be established and maintained a separate, secure, and sanitary
26 penitentiary for the custody and safekeeping of high-level offenders serving sentence
27 in the prison facilities of the BuCor.
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29 The separate facility for high-level offenders shall be built in a suitable location to
30 be determined by the Secretary of Justice, away from the general population and
31 other inmates, and preferably within a military establishment or in an island separate
32 from the mainland.
33

34 The facility shall be located in a secured and isolated place to ensure that there is
35 no unwarranted contact or communication from outside of the penal institution. There
36 shall be at least three (3) separate facilities for high-level offenders, with one (1)
37 facility each in Luzon, Visayas, and Mindanao.
38

39 Upon the establishment of such facilities, the BuCor shall include in its
40 classification system high-level offenders as defined in this Act who shall serve their
41 sentences in such separate facilities.
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43 **SEC. 6. Transfer of High-Level Offenders to Separate Facilities.** – The
44 transfer of high-level offenders currently serving their sentences shall be made within
45 a period of thirty (30) days from the completion of the construction of such facilities.
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47 **SEC. 7. The Facility.** – The separate facility for high-level offenders shall be a
48 state-of-the-art facility with surveillance cameras and the latest information
49 technology and security systems capable of monitoring its inmates twenty-four (24)
50 hours a day, and with enhanced and extensive security features on locks, doors, and
51 its perimeters. The facility shall be maintained clean and habitable at all times.
52 Sanitary and hygienic toilets and shower areas shall be provided and maintained.
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54 The Director General of the BuCor shall ensure that the high-level offenders kept
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1 in such separate facilities are allowed to communicate with their relatives or with their
2 legal counsels only, under such conditions and circumstances as may be
3 recommended by the Director General and approved by the Secretary of Justice.
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5 **SEC. 8. Conduct of Inspection.** – An internal inspection, which is conducted by
6 the prison administration, and an external inspection, which is conducted by the
7 Department of Justice, shall be conducted on a regular basis to ensure that the
8 institution is administered in accordance with the Constitution, this Act and other
9 existing laws and regulations, and to attain the objectives of the penal system.
10

11 **SEC. 9. Oversight.** – Congress shall conduct a regular review of the compliance
12 with this Act, which shall entail a systematic evaluation of the performance of the
13 concerned agencies with respect to its intent and objectives. The review shall be
14 undertaken by the Committees of the Senate and the House of Representatives that
15 have legislative jurisdiction over this Act.
16

17 **SEC. 10. Appropriations.** – The amount necessary for the implementation of
18 this Act shall be included in the General Appropriations Act.
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20 **SEC. 11. Implementing Rules and Regulations.** – Within ninety (90) days
21 from the effectivity of this Act, the Secretary of Justice shall, in coordination with the
22 Director General of the BuCor, promulgate the rules and regulations for the effective
23 implementation of this Act.
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25 **SEC. 12. Separability Clause.** – Should any provision of this Act be declared
26 invalid, the remaining provisions shall continue to be in force and effect.
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28 **SEC. 13. Repealing Clause.** – All other laws, decrees, orders, proclamations,
29 rules, regulations and other issuances or parts thereof inconsistent with this Act are
30 hereby amended or modified accordingly.
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32 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its
33 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

