EIGHTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES

First Regular Session

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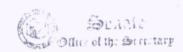
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SENATE P. S. Res No. <u>108</u>

19 AUG 27 P2:51

Introduced by Senator Maria Lourdes Nancy S. Binayora

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aria Lourdes Nancy S. Bipayoro . _____

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEES, TO CONDUCT AN INQUIRY IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF REPUBLIC ACT 10592 PARTICULARLY THE COMPUTATION OF THE GOOD CONDUCT ALLOWANCES (GCTA) OF PERSONS DEPRIVED OF LIBERTY, IN LIGHT OF THE IMPENDING RELEASE OF 11,000 INMATES DUE TO THE REVISION OF THE COMPUTATION OF GCTA AND ITS RETROACTIVE APPLICATION

WHEREAS, there has been a public outcry regarding the impending release of 11,000 inmates due to the Republic Act 10595 and the ruling of the Supreme Court to apply the said law retroactively;

WHEREAS, the implementation of Republic Act 10592 had also raised questions on the computation of Good Conduct Time Allowance (GCTA) of persons deprived of liberty;

WHEREAS, according to reports, one of the possible beneficiary of the law increasing the GCTA is former Calauan, Laguna mayor, Antonio Sanchez, who has been convicted for the gruesome rape-slay of Eileen Sarmenta, and the murder of Allan Gomez, both students of the University of the Philippines-Los Banos at the time of the crime¹;

WHEREAS, Section 3 of Republic Act 10592 provides,

"Article 97 of the same Act is hereby further amended to read as follows:

¹ Philstar news wesbsite, "Ex-mayor Antonio Sanchez set for release, https://www.google.com.ph/amp/s/www.philstar.com/headlines/2019/08/21/1945203/ex-mayor-antonio-sanchez-set-release/amp/

| 14 | "ART. 97. Allowance for good conduct. – The good conduct of any offender qualified for |
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| 15 | credit for preventive imprisonment pursuant to Article 29 of this Code, or of any |
| 16 | convicted prisoner in any penal institution, rehabilitation or detention center or any |
| 17 | other local jail shall entitle him to the following deductions from the period of his |
| 18 | sentence: |
| 19 | "1. During the first two years of imprisonment, he shall be allowed a deduction of |
| 20 | twenty days for each month of good behavior during detention; |
| 21 | "2. During the third to the fifth year, inclusive, of his imprisonment, he shall be allowed |
| 22 | a reduction of twenty-three days for each month of good behavior during detention; |
| 23 | "3. During the following years until the tenth year, inclusive, of his imprisonment, he |
| 24 | shall be allowed a deduction of twenty-five days for each month of good behavior |
| 25 | during detention; |
| 26 | "4. During the eleventh and successive years of his imprisonment, he shall be allowed a |
| 27 | deduction of thirty days for each month of good behavior during detention; and |
| 28 | "5. At any time during the period of imprisonment, he shall be allowed another |
| 29 | deduction of fifteen days, in addition to numbers one to four hereof, for each month of |
| 30 | study, teaching or mentoring service time rendered. |
| 31 | "An appeal by the accused shall not deprive him of entitlement to the above allowances |
| 32 | for good conduct." |
| 33 | WHEREAS, Justice Secretary Menardo Guevarra said Sanchez may be released |
| 34 | from prison along with at least 11,000 inmates in the next two months because of a |
| 35 | new law increasing good conduct allowance (GCTA) and a Supreme Court (SC) |
| | |
| 36 | decision applying the same law retroactively ² ; |

WHEREAS, The Supreme Court in their En Banc session on 25 June 2019 and in a decision penned by Associate Justice Diosdado M. Peralta, declared invalid Section 4, Rule 1 of the Implementing Rules and Regulations ("IRR") of Republic Act No. 10592 ("R.A. 10592") in so far as the said IRR provided for the prospective

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application of the grant of time allowance of prisoners for: i.) good conduct, ii.) study, teaching, and mentoring service, and iii.) loyalty³.

WHEREAS, as a consequence, all prisoners regardless of whether already serving his/her sentence or undergoing preventive imprisonment may qualify for the reduction of their sentence pursuant to the time allowances under R.A. 10592⁴;

WHEREAS, there is a need to revisit the purpose and coverage of Republic Act No. 10592;

WHEREAS, it is imperative that the Senate of the Philippines to look into the matter to improve people's trust in our government institutions and justice system;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the appropriate Senate Committees, to conduct an inquiry in aid of legislation, on the implementation of Republic Act 10592 particularly the computation of the Good Conduct Time Allowance (GCTA) of persons deprived of liberty, in light of the impending release of 11,000 inmates due to the revision of the computation of GCTA and its retroactive application.

Adopted,

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MARIA LOURDES NANCY S. BINAY

Senator

³ sc. Judiciary.gov.ph/4510/

⁴ Ibid