

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL -4 A8:43

SENATE
S.B. No. 929

RECEIVED BY: [Signature]

Introduced by Senator LOREN LEGARDA

EXPLANATORY NOTE

This bill seeks to professionalize the practice of prison management and set the qualifications of the superintendents and wardens of prisons all over the country to ensure that the officials heading our penal system are duly capable and competent in performing their responsibilities.

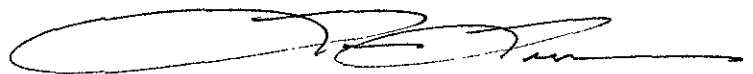
In 2002, there were 25,002 inmates confined in the seven national prison facilities in the country, 49 percent were detained in the maximum security complex. 16,134 of the total number of inmates were locked up in the National Bilibid Prisons in Muntinlupa where the congestion rate is a stifling 85 percent. 1,013 inmates were waiting in death row.

The top three crimes committed by the jailed individuals are homicide (26 percent), murder (23 percent) and rape (12 percent). The staggering numbers are reflected in the dismal situation in our jails. Over crowdedness have lead to epidemics and other untoward incidents such as jail breaks and fights. Because of the difficult conditions and situations the officials of these lock ups face on a daily basis, there is a clear need to ensure that the heads of the penal facilities are properly educated, trained and experienced in handling the various and complex circumstances of the country's penitentiary system.

This measure requires the superintendents of the country's national prison system hold a bachelor's degree in Law, preferably licensed practitioners, or have a bachelor's degree in Public Administration, and have educational training Psychology or Sociology. While the wardens of provincial, city or municipal jails must have a bachelor's degree in Law, Public Administration, Psychology or its equivalent with an educational background in Behavioral Science or Social Sciences. Nominees and incumbent superintendents and wardens are obliged to attend courses and seminars on Jail Management and Corrections Administration. Serving officials need to pass these said courses in order to retain their positions. Through this act, the prison officials may be sent for training abroad.

Furthermore, this bill ensures that the superintendents and wardens shall enjoy the benefits and privileges of their rank and position given they satisfy the requirements stated in this Act. The incumbents shall continue to perform their roles and responsibilities of their respective rank and position until they are reassigned, retire, separated from officer or replaced by the appointing authority with a qualified official.

The country's penal system and the officials that head the organization play significant roles in the maintenance of the justice and safety in our country. To guarantee that this integral agency and its officials continue appropriately carry out their functions, the passage of this bill is earnestly sought.



LOREN LEGARDA
Senator

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 JUL -4 11:43

SENATE
S.B. No. 929

RECEIVED BY:

Introduced by Senator Loren Legarda

AN ACT
TO PROFESSIONALIZE THE PRACTICE OF PRISON MANAGEMENT
AND SET FOR THAT PURPOSE THE QUALIFICATION FOR
SUPERINTENDENTS OF THE NATIONAL PRISON SYSTEM AND OF
WARDENS OF PROVINCIAL, CITY OR MUNICIPAL JAILS

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

SECTION 1. Title. - This Act shall be known as the Professionalization of Prison Management Act.

SECTION 2. Qualifications of Superintendents of Prisons in the National Prison System. All Superintendents of Prisons or Colonies or Prison Farms of the National Prison System shall have the following qualifications at the time of their appointment:

- (a) Holder of a Bachelor's Degree in Law, preferably a member of the Philippine Bar; or a Bachelor's degree in Public Administration, or its equivalent with at least twelve (12) units in Psychology or Sociology;
- (b) Training and experience of at least five (5) years in corrections and prison management; and
- (c) Of good moral character with a reputation in the community for probity and fair-mindedness and who has never been convicted of a criminal offense nor charged administratively for an act involving moral turpitude.

SECTION 3. Qualifications of Wardens of Provincial, City or Municipal Jails. All wardens of Provincial, City or Municipal Jails shall have the following qualifications:

- (a) Holder of a Bachelor's Degree in Law, Public Administration, Psychology or its equivalent, with at least twelve (12) units in Behavioral Sciences, Sociology or Psychology;

- (b) Training and experience of at least three (3) years in corrections and prison management; and
- (c) Of good moral character with a reputation in the community for probity and fair-mindedness and who has never been convicted of a criminal offense nor charged administratively for an act involving moral turpitude.

SECTION 4. Jail Management and Corrections Administration Training. - The Integrated National Police and/or the National Police Academy shall conduct courses and seminars on Jail Management and corrections administration for nominees and incumbents of Prison Superintendent or Jail Warden positions. Incumbent superintendents and wardens shall be required to pass courses for jail management and corrections administration in order to retain their positions.

SECTION 5. Equivalence of Position, Rank, Salary and Privileges. - Superintendents of the National Prison System shall enjoy the position, rank, salary and privileges of an Assistant Bureau Director, provincial, city and municipal jail wardens shall enjoy the position, rank, salary and privileges of a Division Head of a Bureau; Provided, That said Superintendents or Wardens shall have the qualifications herein set forth: Provided, further, That incumbents shall have to first qualify for the requirements of the position herein set forth before they can enjoy the position, rank, salary and privileges herein set forth: Provided, finally that said incumbents shall continue to discharge the duties of Superintendent or Warden until reassigned, retired or separated from office, or otherwise replaced by the appointing authority by a qualified official.

SECTION 6. Separability Clause. - If any part of this Act shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. Repealing Clause. - Any provision of law, decree, order, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

SECTION 8. Effectivity. - This Act shall take effect upon approval and completion of its publication in at least two (2) national newspapers of general circulation.

Approved,