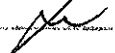


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

7 AUG -6 P3:21

SENATE
S. B. No. 1436

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago


EXPLANATORY NOTE

The Constitution, Article II, Section 5, provides:

The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

Older victims of violent crime are almost twice as likely than younger victims to be abused, robbed, or assaulted at or in their own homes.

As the number of older Filipinos is growing both numerically and proportionally in the country, this bill seeks to develop strategies for preventing and punishing crimes that target or otherwise disproportionately affect seniors by collecting appropriate data to measure the extent of crimes committed against seniors and determine the extent of domestic and elder abuse of seniors.*



MIRIAM DEFENSOR SANTIAGO
sd

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

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

7 AUG -6 12:12

SENATE
S. B. No. 1436

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO COMBAT ABUSE AND INCREASE PENALTIES FOR CRIMES AGAINST SENIORS

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Senior’s Safety Act of 2007.”

6 SECTION 2. *Purpose.* – The purpose of this Act is to develop strategies for preventing
7 and punishing crimes that target or otherwise disproportionately affect seniors by collecting
8 appropriate data to measure the extent of crimes committed against seniors and determine the
9 extent of domestic and elder abuse of seniors.

10 SECTION 3. *Definition of Terms.* – For the purpose of this Act, the term :

11 (A) “Crime” means any criminal offense under the Penal Code and special laws; and

12 (B) “Senior” means an individual who is more than fifty five (55) years of age.

13 SECTION 4. *Study of Crimes against Seniors.* –

14 (A) *In General.* – The Secretary of Justice shall conduct a study relating to crimes against
15 seniors in order to assist in developing new strategies to prevent and otherwise reduce the
16 incidence of those crimes.

17 (B) *Issues Addressed.* – The study conducted under this section shall include an analysis
18 of—

19 (1) The nature and type of crimes perpetrated against seniors, with special focus
20 on-

21 (a) The most common types of crimes that affect seniors;

22 (b) The nature and extent of elder abuse inflicted upon seniors;

- 1 (c) The nature and extent of health care fraud and abuse targeting seniors;
- 2 (2) The risk factors associated with seniors who have been victimized;
- 3 (3) The manner in which the criminal justice systems respond to crimes against
4 seniors;
- 5 (4) The feasibility of establishing and maintaining a centralized computer
6 database on the incidence of crimes against seniors that will promote the uniform
7 identification and reporting of such crimes;
- 8 (5) Crimes targeting or disproportionately affecting seniors;
- 9 (6) Crime risk factors for seniors, including the times and locations at which
10 crimes victimizing seniors are most likely to occur;
- 11 (7) Specific characteristics of the victims of crimes who are seniors, including
12 age, gender, race or ethnicity and socio-economic status;
- 13 (8) The nature and extent of crimes targeting seniors, such as health care fraud;
14 and
- 15 (9) Other effective ways to prevent or reduce the occurrence of crimes against
16 seniors.

17 (C) *Report.* – Not later than eighteen (18) months after the date of enactment of this Act,
18 the Secretary of Justice shall submit to the House of Representatives and the Senate a report
19 describing the results of the study under this section.

20 SECTION 5. *Increased Penalties Based on the Age of the Victim.* – The Department of
21 Justice shall. —

22 (A) Review existing sentencing guidelines and recommend the possibility of increased
23 penalties for persons convicted of offenses in which the victim was a senior in appropriate
24 circumstances, given the serious economic and physical harms associated with criminal activity
25 targeted at seniors due to their particular vulnerability;

26 (B) Consult with individuals or groups representing seniors, law enforcement agencies,
27 victims organizations, and the judiciary, as part of the review described in this section;

1 (C) Account for any aggravating or mitigating circumstances that may justify exceptions
2 in order to provide sentencing enhancements;

3 Not later than one (1) year after the promulgation of this Act, the department shall submit
4 to Congress a report on issues relating to the age of crime victims, which shall include any
5 recommendations of the department relating to any revision or modification of penalty levels,
6 including statutory penalty, for offenses involving seniors.

7 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or
8 unconstitutional, the remainder of the law or the provision shall remain valid and subsisting.

9 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
10 order, letter of instruction, administrative order, rule or regulations contrary to or inconsistent
11 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

12 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
13 publication in at least two (2) newspapers of general circulation.

14 Approved,