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THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



SENATE

S. B. NO. 2513

Introduced by Senator Franklin M. Drilon

EXPLANATORY NOTE

Under Section 61 of Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990", the supervision and control over jails are lodged in different entities. City and municipal jails are governed by the Bureau of Jail Management and Penology. On the other hand, provincial jails are under the supervision and control of the provincial government.

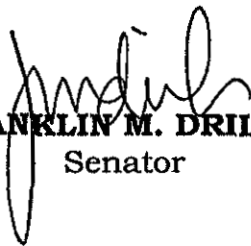
It appears that provincial jails which are directly under the supervision and control of the provincial government have better facilities and are better managed as compared to that of the city and municipal jails. On the contrary, there are reports that city and municipal jails are overcrowded. Inmates must sleep on their feet and often go hungry. Food rations are so meager that some prison wardens reportedly allowed wives or children to move with inmates or stay in the prison compound because they could help feed prisoners, while lack of potable water and poor ventilation continued to cause health problems. In sum, the present jail conditions has led to other problems like the spread of disease among inmates, jail breaks and sanitation problems, which will eventually affect the locality wherein the jail is situated.

It is believed that the interest of the prisoners and detainees as well as that of the locality shall be better served if the city and municipal jails are placed under the direct supervision and control of the local government units concerned. A well-managed, secured clean, adequately equipped and sanitary jail will render the process of rehabilitation of offenders a lot easier.

This bill, therefore, seeks to create a Jail Management and Penology Office in every Province, City, and Municipality directly under the control and supervision of the local chief executive, thereby transferring the power of supervision and control over city and municipal jails presently exercised by the Bureau of Jail Management and Penology to the local chief executive concerned. Under the proposed measure, the funds already allocated for the operation and maintenance of city and

municipal jails shall be transferred to the local government units. Thereafter, the budgetary requirements shall be included in the annual appropriation of the local government units.

Premises considered, the passage of the bill is earnestly requested.


FRANKLIN M. DRILON
Senator

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AN ACT
DEVOLVING THE SUPERVISION AND CONTROL OVER CITY AND MUNICIPAL JAILS FROM THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY TO THE LOCAL GOVERNMENT UNITS, AND FOR OTHER PURPOSES

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

SECTION 1. There shall be a Jail Management and Penology Office, hereinafter referred to as the Jail Office, in every Province, City, and Municipality consisting of officers and members of the Bureau of Jail Management and Penology (BJMP) provided under Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990".

SEC. 2. The Chief Executive of the local government unit concerned shall exercise direct supervision and control over the Office and the jails within its jurisdiction. The Secretary of the Interior and Local Government shall formulate the organizational structure and staffing pattern of the Office as well as the disciplinary machinery for officers and men of the Office in accordance with existing laws.

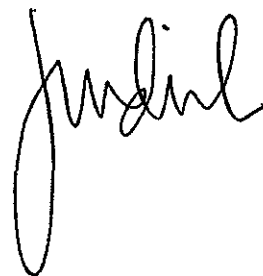
SEC. 3. The funds already allocated for the operation of the City and Municipal Jails shall be transferred from the BJMP to the local government units upon the effectivity of this Act. Thereafter, the funds necessary for the implementation of this Act shall be included in the annual budget of the local government unit concerned.

SEC. 4. Separability Clause. – If, for any reason, any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 5. Repealing Clause. – The provisions of Republic Act 6975 and other laws, decrees, orders, rules and regulations, or portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 6. Effectivity Clause. – This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,

A handwritten signature in black ink, appearing to read "Justin", is written in a cursive style.