	MEMORANDUM CIRCULAR		DOCUMENT NO.
	TOPIC CAMPAIGNING IN BJMP JAILS FOR THE 2016 SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS		BJMP-LSO-MC
			ISSUE NO. 2
	SUB-TOPIC PRESCRIBES THE GUIDELINES, POLICIES, AND PROCEDURES ON CAMPAIGNING IN BJMP JAILS FOR THE 2016 SYNCHRONIZED NATIONAL AND LOCAL ELECTIONS		REVISION NO. 1
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I. PURPOSE

This SOP prescribes the policy on campaigning of candidates for the 2016 Synchronized National and Local Elections in BJMP jails.

II. REFERENCES




1. 1987 Constitution of the Republic of the Philippines;
2. Batas Pambansa Bilang 881, "Omnibus Election Code of the Philippines;"
3. Republic Act No. 9006, "Fair Elections Act;"
4. Comelec Resolution No. 9981 dated 18 August 2015 Re: Calendar of Activities and Periods of Certain Prohibited Acts in Connection with the 09 May 2016 National and Local Elections;
5. Comelec Resolution No. 10015 dated 13 November 2015 Re; Rules and Regulations on: (1) the Ban on the Bearing, Carrying or Transporting of Firearms and other Deadly Weapons; and (2) the Employment, Availment or Engagement of the Services of Security Personnel or Bodyguards during the Elections Period of May 09, 2016 Synchronized National and Local Elections.


III. SCOPE

All the provisions in these guidelines shall be implemented in all BJMP-manned jails nationwide. This covers jail personnel and inmates as well as candidates and political parties campaigning in jails.

IV. DEFINITION OF TERMS

CANDIDATE – refers to any person aspiring for or seeking an elective public office, who has filed a certificate of candidacy by himself or through an accredited political party, aggroupment, or coalition of parties.

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ELECTION CAMPAIGN or PARTISAN POLITICAL ACTIVITY – refers to an act designed to promote the election or defeat of a particular candidate or candidates to a public office which shall include:




1. forming organizations, clubs, committees or other groups of persons for the purpose of soliciting votes and/or undertaking any campaign for or against a candidate;
2. holding political caucuses, conferences, meetings, rallies, parades, or other similar assemblies, for the purpose of soliciting votes and/or undertaking any campaign or propaganda for or against a candidate;
3. making speeches, announcements or commentaries, or holding interviews for or against the election of any candidate for public office;
4. publishing or distributing campaign literature or materials designed to support or oppose the election of any candidate; or
5. directly or indirectly soliciting votes, pledges or support for or against a candidate.

The foregoing enumerated acts if performed for the purpose of enhancing the chances of candidates/aspirants for nomination for candidacy to a public office by a political party, aggroupment, or coalition of parties shall not be considered as election campaign or partisan election activity.

Public expressions or opinions or discussions of probable issues in a forthcoming election or on attributes of or criticisms against probable candidates proposed to be nominated in a forthcoming political party convention shall not be construed as part of any election campaign or partisan political activity.

V. PROCEDURE

1. All existing jail policies, rules and regulations as well as those prohibited acts of COMELEC in connection with the Elections shall be strictly implemented.

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MEMORANDUM CIRCULAR

TOPIC

**CAMPAIGNING IN BJMP JAILS FOR THE 2016
SYNCHRONIZED NATIONAL AND LOCAL
ELECTIONS**

SUB-TOPIC

**PRESCRIBES THE GUIDELINES, POLICIES,
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2. Every candidate or party shall be given equal chance to campaign inside the jails. All duly declared candidates by COMELEC shall be authorized to campaign in jails provided they submit their request at least one (1) week before their proposed date of campaign in jails.

3. Representatives from Political Parties, Citizen Arm and other Civil Society shall be allowed to witness/observe the proceedings provided they also submit a request which shall be subject to the approval of the Jail Warden.

4. Prior to the candidate's entry to the jail, he/she shall be briefed of the policies, rules and regulations of the jail. The same shall also apply to the observers.

5. All requests for campaign shall be subject to the availability of time in jail and approval of the Jail Warden. The approval of the request shall be on "first come first serve basis." No opposing candidates or parties shall be allowed to campaign in jail at the same time.

ON CANDIDATES AND POLITICAL PARTIES

6. Pursuant to COMELEC Resolution 9981, promulgated on 18 August 2015, campaigning shall be from **09 February 2016** to **07 May 2016** for candidates for the position of president, vice president, senators and party-lists representatives and from **26 March 2016** to **07 May 2016** for district representatives and local officials.

However, schedule of campaigning in jails shall be as follows:

MONDAY	9:00AM to 4:00PM
TUESDAY to FRIDAY	9:00AM to 12:00NN

7. To provide inmates enough time for visitation especially by the immediate family members, there shall also be no campaigning in jails on Sundays and Saturdays.

8. No campaign shall be held on Maundy Thursday (24 March 2016) and Good Friday (25 March 2016).

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9. Each candidate shall be given only the following maximum time to campaign in jails (both male and female dorms):

Jails with Inmate Population of	Maximum Time to Campaign
Below 500	1 hour
501-999	1 hour and 30 minutes
1,000 and above	2 hours

10. Candidates or their representatives shall be allowed to campaign only on areas designated by the Jail Warden. These designated areas shall be fully secured during such activity.

11. Candidates or their representatives as well as the observers shall have no direct physical contact with the inmates.




12. Candidates or their representatives shall **not** give donation or gift in cash or kind to any inmate from 09 February to 09 May 2016.


13. Candidates, or their representatives shall not solicit vote or undertake propaganda within the jail, as polling place, within thirty (30) meters on the day of election (09 May 2016).

14. Candidates or their representatives shall not open booth or stall for sale of any merchandise or refreshment within the jail, as polling place, within thirty (30) meters on the day of election (09 May 2016).

15. Candidates or their representatives shall not give or provide free transportation, food, drinks or things of value to any jail personnel or inmate on the Eve of Election Day (08 May 2016)

16. Campaign materials and those prohibited by the COMELEC and/or considered as contraband will not be allowed inside the jails except leaflets, flyers and other information materials with a size not exceeding 3 inches x 5 inches only. The ratio of these allowable campaign materials shall not exceed one (1) campaign material per

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one (1) inmate for each candidate. No campaign material (posters, stickers, etc.) shall be posted at any area of the jail facility. The Jail Warden, for security reasons or as deemed necessary, may disallow the entry of any campaign material.

ON JAIL WARDEN

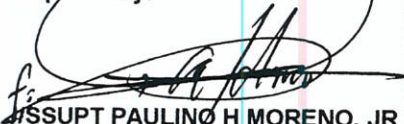
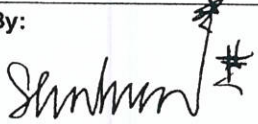

- 17. For security reasons or as deemed necessary, the Jail Warden has the authority to discontinue the allocated candidate’s campaign time inside the jail.
- 18. Jail Warden shall not engage in campaigning or any act of partisan political activity during the election period.
- 19. Jail Warden shall ensure the orderly and peaceful conduct of campaigning inside jail premises.


ON JAIL PERSONNEL

- 20. No jail personnel shall engage in campaigning or any act of partisan political activity during the election period for or against a particular political party or candidate.
- 21. No jail personnel shall act as security personnel or bodyguard of a candidate or political party.
- 22. No jail personnel shall accept donation or gift in cash or in kind from any candidate.
- 23. No jail personnel shall accept free transportation, food, drinks or things of value from any candidate or their representatives on the Eve of Election Day (08 May 2016).
- 24. No jail personnel shall appropriate for themselves anything given or donated by a candidate or party to the inmates or to the jail.

ON INMATES

- 25. No inmate shall be compelled to attend, listen, or be present in a campaign program in jail against his will. Attendance must be voluntary.

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MONITORING

26. For inmate purposes, the Jail Warden shall submit to the Chief, BJMP (Attn: Directorate for Operations), through the Regional Director, a weekly report of the campaigning activities of the electoral candidates in BJMP jails indicating the number of candidates who campaigned, name of the candidates, their political parties, date of campaigning, among others.

VI. SEPARABILITY CLAUSE



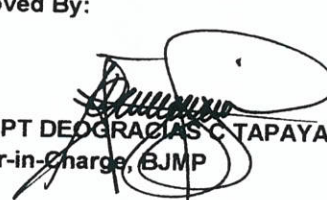
In the event that any provision or part of this policy be declared unauthorized or rendered invalid by a competent authority, those provisions not affected by such declaration shall remain valid and effective.

VII. REPEALING CLAUSE

All other existing issuances which are inconsistent with this policy are hereby rescinded or modified accordingly.

VIII. EFFECTIVITY

This policy shall take effect upon publication in the National Administrative Register at the UP Law Center.

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