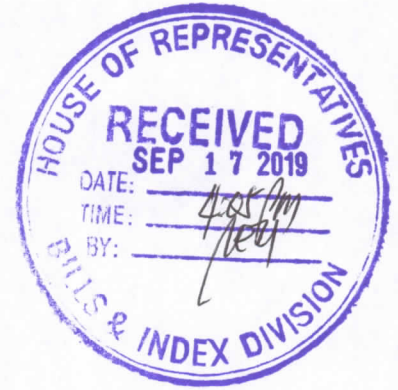


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session  
4655  
**HOUSE BILL NO. \_\_\_\_\_**



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Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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**EXPLANATORY NOTE**

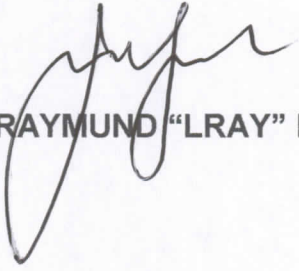
Drug trade, trafficking and possession of high-level illegal-drugs offenders still persist even while they are under detention, based on recent findings of law enforcement agencies in the country. In March 2019, drug convict Rustico Ygot, who is serving his sentence at the maximum-security compound of the New Bilibid Prison, managed to continue his illegal drug activities in Cebu through video calls using messaging applications. During the same period, a surprise inspection of the Dumaguete city jail yielded 115 grams of *shabu* among its inmates.

The Bureau of Corrections (BuCor) is mandated to ensure that inmates are completely incapacitated from further committing criminal acts and are totally cut off from their criminal networks while serving their sentences. Such failure of the BuCor to prevent the proliferation of illegal drugs inside prisons warrants a reform in the national penitentiary system.

To help the bureau fulfill its mandate, this bill aims to keep high-level illegal-drugs offenders in a separate penal facility. This bill seeks to create a highly secured Anti-Drug Penal Institution, which shall be located in an uninhabited place to prevent any unwarranted contact or communication with those from the outside of the penal institution.

The Anti-Drug Penal Institution shall also have a drug abuse treatment and rehabilitation center where high-level drug offenders shall undergo an effective drug rehabilitation and reformation program so as to prepare them for their life outside of the penitentiary.

The passage of this bill aims to put an end to the nefarious activities of drug offenders, and to strengthen the nation's war on drugs. In view of the foregoing, passage of this measure is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
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EIGHTEENTH CONGRESS  
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Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT  
ESTABLISHING A DETENTION PROGRAM AND FACILITY FOR HIGH-LEVEL  
DRUG OFFENDERS WITHIN THE NATIONAL PENITENTIARY SYSTEM UNDER  
THE BUREAU OF CORRECTIONS, APPROPRIATING FUNDS THEREFOR AND  
FOR OTHER PURPOSES

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

**SECTION 1. *Short Title.*** – This Act shall be known as the "Anti-Drug Penal Institution Act."

**SECTION 2. *Declaration of Policy.*** – It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in the national penitentiary. Furthermore, the State adheres to the basic principle that the different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment.

**SECTION 3. *Definition of Terms.*** –

a) *Anti-Drug Penal Institution* – the penal institution established for high-level drug offenders

b) *High-level drug offenders* – those inmates who are high-risk and high profile as determined by the Anti-Drug Board taking into consideration the following factors:



- i. the offense for which the detainees were convicted
- ii. history of offenses committed
- iii. affiliations

c) *Inmates* – offenders convicted by the courts to serve sentences of three years or more and kept at the prison facilities of the Bureau of Corrections

d) *Uninhabited place* - is one where there are no houses at all, a place at a considerable distance from town, or where houses are scattered at a great distance from each other

**SECTION 4. *Creation of the Anti-Drug Penal Institution.*** –There shall be established and maintained a secured, clean, adequately equipped and sanitary national penitentiary for the custody and safekeeping of high-level drug offenders under the operation of the Bureau of Corrections.

**SECTION 5. *Coverage.*** – This Act shall apply to all the high-level drug offenders kept at the prison facilities of the Bureau of Corrections (BuCor).

**SECTION 6. *Location of the National Penitentiary.*** – The Anti-Drug Penal Institution shall be built in a suitable public land to be determined by the BuCor.

The penitentiary shall be highly secured and must be located in an uninhabited place to prevent any unwarranted contact or communication with those from the outside of the penal institution.

**SECTION 7. *Creation of an Anti-Drug Board.*** – There shall be established an Anti-Drug Board, hereinafter referred to as the Board, that shall serve as overseer in the implementation of policies related to the implementation of this Act, composed of the following members:

- (a) Secretary of Justice, as Chairperson;
- (b) Secretary of Interior and Local Government;
- (c) Secretary of Social Welfare and Development;
- (d) Director General of the Philippine Drug Enforcement Agency;
- (e) Chairman of the Dangerous Drugs Board; and

(f) Chairperson of the Commission on Human;

The Vice-Chairperson shall be elected by its members from among themselves every two (2) years.

**SECTION 8. *Transfer of Inmates.*** – The transfer of inmates shall be headed by the BuCor. The BuCor may seek the assistance of the Department of Interior and Local Government (DILG), through the Philippine National Police (PNP), when the means of transporting the inmates will be done through the use of an aircraft or vessel. The expenses in relation to the said transfer shall be charged against the budget of the BuCor.

During the transfer of inmates from the prison facilities of the BuCor to the Anti-Drug Penal Institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form. Moreover, any inconvenience or unnecessary physical hardships on the inmates while they are being transferred shall be prohibited. Separate vehicles should be used for male and female prisoners.

When the transfer has been fully executed, a report jointly prepared by the PNP and the BuCor shall be submitted to the President of the Senate and the Speaker of the House of Representatives.

**SECTION 9. *Duration/Period of Transfer of Prisoners.*** – The transfer of inmates shall be made within a period of 30 days from the completion of the construction of the Anti-Drug Penal Institution.

**SECTION 10. *Conduct of Inspection.*** – An internal inspection, which is conducted by the prison administration, and an external inspection, which is conducted by Anti-Drug Board, shall be conducted on a regular basis to ensure that the institution is administered in accordance with existing laws and regulations and to bring about the attainment of the objectives of the penal system.



**SECTION 11. *Conduct of Random Drug Testing.*** – There shall be conducted a regular random drug testing among the inmates in the Anti-Drug Penal Institution. The random drug testing shall be done by any forensic laboratories or by any of the drug testing laboratories accredited and monitored by the Department of Health (DOH) to safeguard the quality of test results.

**SECTION 12. *Personnel.*** – A personnel-to-inmate ratio lesser than what is provided in Republic Act No. 10575, otherwise known as The Bureau of Corrections Act of 2013, to be determined by the Anti-Drug Board shall be followed. However, the qualification standards and training of personnel as provided in Republic Act No. 10575, and such other laws amending the same or relative therein, shall be maintained in the Anti-Drug Penal Institution.

**SECTION 13. *Penitentiary Facilities.*** – The Anti-Drug Penal Institution shall have the same design of prison facilities, reformation and administrative facilities as all the other prisons and penal farms of the BuCor, such as, but not limited to, the following:

- a) Dormitory;
- b) Administration building;
- c) Perimeter/Security fences;
- d) Hospital/Infirmary;
- e) Recreation/Multipurpose hall;
- f) Training/Lecture center;
- g) Workshop facility;
- h) Mess hall/kitchen;
- i) Visiting area;
- j) Water tank and pump;
- k) Reception and diagnostic center; and
- l) Service personnel facilities.

In addition to the foregoing, the Anti-Drug Penal Institution shall have a drug abuse treatment and rehabilitation center.

**SECTION 14. *Information Technology Systems.*** – The BuCor shall make sure that there will be an effective and efficient information technology systems to be used

in the build-up, maintenance and transmittal of necessary inmate records to all the prison and penal farms of the BuCor and other authorized government agencies.

**SECTION 15. *Implementing Rules and Regulations.*** – Within six (6) months from the effectivity of this Act the Anti-Drug Board shall promulgate rules and regulations necessary to ensure the effective implementation of this Act.

**SECTION 16. *Reportorial Requirements.*** – The Anti-Drug Board shall submit a biannual report to the President of the Senate and the Speaker of the House of Representatives starting from the commencement of the construction of the Anti-Drug Penal Institution until its completion. Prior to the completion of the construction of the Anti-Drug Penal Institution, the report shall include the progress of the construction and the information on the application of the budget in relation to the aforesaid construction.

When the premises of the Anti-Drug Penal Institution has been completed and occupied by the high-level drug offenders, the report on the status of the implementation of this Act shall be submitted annually.

**SECTION 17. *Funding Source.*** – The funds required for the implementation of this Act shall be taken from the budget of the BuCor for the current fiscal year and also from the following:

- (a) Collections from clearances and certification fees;
- (b) Income from institutional projects subject to memoranda of agreements (MOAs), contracts or joint venture agreements; and
- (c) Other miscellaneous incomes (outside MOAs and contracts), such as:
  - (1) Penal farm agro-production; and
  - (2) Inmate handicraft industry.

Thereafter, such amounts as may be necessary to implement this Act shall be included in the annual General Appropriations Act.

**SECTION 18. *Separability Clause.*** – Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

**SECTION 19. *Repealing Clause.*** – All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

**SECTION 20. *Effectivity Clause.*** – This Act shall take effect in fifteen (15) days after publication in the Official Gazette or in one (1) newspaper of general circulation in the Philippines.

*Approved,*