

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



HOUSE OF REPRESENTATIVE

H.B. No. 4456

Introduced by **Representative TEODORICO T. HARESCO, JR.**

EXPLANATORY NOTE

People have been debating recently whether people who were convicted of heinous crimes should benefit from Republic Act No. 10592 otherwise known as the Good Conduct Time Allowance Law which allows for a credit based on the good conduct of persons deprived of liberty (PDLs) while serving sentence.

The controversy sparked the consciousness of the nation when reports were released saying that convicted murder-rapist former mayor Antonio Sanchez of the Sarmienta-Gomez rape-slay case, together with around 11,000 prisoners,<sup>1</sup> may walk free by claiming the benefits of Republic Act No. 10592.

Controversy arose when it was reported that mayor Sanchez would benefit from the law and would be released in 2 months' time.<sup>2</sup> This, notwithstanding the fact that he was convicted of seven counts of rape with homicide and was punished for reclusion perpetua for each count, which is equivalent to seven counts of forty (40) years in prison and another two counts of reclusion perpetua from the Peñalosa murder case. Reports also show that Antonio Sanchez displayed unwanted behavior while inside prison including the violation of several prison rules for smuggling illegal drugs in his jail cell<sup>3</sup> and received several luxuries not generally allowed under existing jail rules such as having flat screen television and air conditioning unit in his jail cell.<sup>4</sup>

<sup>1</sup><https://www.philstar.com/headlines/2019/08/22/1945504/good-law-bad-man-ra-10592-and-rape-slay-convict-antonio-sanchez>.

<sup>2</sup> <https://www.philstar.com/headlines/2019/08/21/1945203/ex-mayor-antonio-sanchez-set-release>

<sup>3</sup><https://www.cnnphilippines.com/news/2019/8/22/Antonio-Sanchez-early-release-murder-rape-UP-Los-Banos-students.html>.

<sup>4</sup> *Id.*

According to the Implementing Rules and Regulations of Republic Act No. 10592 "*Good Conduct*" — refers to the conspicuous and satisfactory behavior of a detention or convicted prisoner consisting of active involvement in rehabilitation programs, productive participation in authorized work activities or accomplishment of exemplary deeds coupled with faithful obedience to all prison/jail rules and regulations.<sup>5</sup> With the infractions above-stated, how can Antonio Sanchez be qualified for good conduct time allowance for his alleged "good conduct"?

In the light of the recent controversy, this bill seeks to amend Republic Act No. 10592 so that the true intent and spirit of the law will be upheld and implemented, safeguarding it from abuse of powerful personalities who try to circumvent the law in their favor.

  
**TEODORICO T. HARESCO, JR.**

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<sup>5</sup> Rule III, Section 1 (p), Implementing Rules and Regulations of Republic Act No. 10592, IRR-RA 10592, March 26, 2014.



HOUSE OF REPRESENTATIVES  
H.B. No. 4456

Introduced by Representative TEODORICO T. HARESCO, JR.

AN ACT  
DEFINING GOOD CONDUCT, INSTITUTING ADDITIONAL MEASURES FOR THE  
IMPLEMENTATION OF GOOD CONDUCT TIME ALLOWANCE, AMENDING FOR THIS  
PURPOSE ARTICLES 97 AND 99 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN  
AS THE REVISED PENAL CODE

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

**Section 1.** Article 97 of Act No. 3815, as amended, otherwise known as the Revised Penal Code, is hereby further amended to read as follows:

"ART. 97. *Allowance for good conduct.* – The good conduct of any offender qualified for credit for preventive imprisonment pursuant to Article 29 of this Code, or of any convicted prisoner in any penal institution, rehabilitation or detention center or any other local jail shall entitle him to the following deductions from the period of his sentence:

"1. During the first two years of imprisonment, he shall be allowed a deduction of twenty days for each month of good behavior during detention;

"2. During the third to the fifth year, inclusive, of his imprisonment, he shall be allowed a reduction of twenty-three days for each month of good behavior during detention;

"3. During the following years until the tenth year, inclusive, of his imprisonment, he shall be allowed a deduction of twenty-five days for each month of good behavior during detention;

"4. During the eleventh and successive years of his imprisonment, he shall be allowed a deduction of thirty days for each month of good behavior during detention; and

"5. At any time during the period of imprisonment, he shall be allowed another deduction of fifteen days, in addition to numbers one to four hereof, for each month of study, teaching, [or] mentoring service time rendered.

"An appeal by the accused shall not deprive him of entitlement to the above allowances for good conduct."

**"‘GOOD CONDUCT’ REFERS TO THE FAITHFUL OBEDIENCE TO ALL LAWS RULES AND REGULATIONS INCLUDING PRISON/JAIL RULES AND REGULATIONS AND SATISFACTORY BEHAVIOR OF A DETENTION OR CONVICTED PRISONER CONSISTING OF ACTIVE INVOLVEMENT IN REHABILITATION PROGRAMS, PRODUCTIVE PARTICIPATION IN AUTHORIZED WORK ACTIVITIES OR**



1 ACCOMPLISHMENT OF EXEMPLARY DEEDS INDICATING PRISONER'S REMORSE,  
2 REHABILITATION AND APTITUDE TO BECOME PRODUCTIVE AND LAW-ABIDING  
3 MEMBER OF SOCIETY ONCE RELEASED."

4 "PROVIDED THAT RECIDIVISTS, HABITUAL DELINQUENTS, ESCAPEES, PERSONS  
5 CONVICTED OF HEINOUS CRIMES AND PERSONS CHARGED WITH ANOTHER  
6 CRIMINAL OFFENSE WHILE SERVING SENTENCE ARE EXCLUDED FROM THE  
7 COVERAGE OF ART. 97 OF THIS ACT."

8 "PROVIDED FURTHER, THAT A PRISONER WHO IS FOUND TO BE IN VIOLATION OF  
9 GOOD CONDUCT, AS DEFINED IN THIS ACT, SHALL FORFEIT ALL HIS OR HER  
10 ACCRUED GOOD CONDUCT TIME ALLOWANCE EARNED. A PRISONER WHO IS IN  
11 VIOLATION OF GOOD CONDUCT SHALL BE ALLOWED TO START OVER AND EARN  
12 HIS OR HER GOOD CONDUCT TIME ALLOWANCE."

13 "THE BUREAU OF CORRECTIONS (BUCOR) AND THE BUREAU OF JAIL  
14 MANAGEMENT AND PENOLOGY (BJMP) SHALL UNDERTAKE THE FULL  
15 DIGITALIZATION OF ALL PRISON RECORDS AND SHALL DESIGN AND USE A  
16 COMPUTER-GENERATED OR AUTOMATED TEMPLATE TO MONITOR THE  
17 PROGRESS OF DETAINEES OR PRISONERS CONVICTED BY FINAL JUDGMENT,  
18 CAPABLE OF INCORPORATING TIME ALLOWANCES THAT MAY BE GRANTED TO  
19 EACH OF THEM."

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21 "IN ADDITION, A WRITTEN COMPUTATION TABLE OR MANUAL OF PREVENTIVE  
22 IMPRISONMENT OR SERVICE OF SENTENCE INCORPORATING TIME ALLOWANCES  
23 SHALL BE PREPARED AND USED AS THE PRIMARY OFFICIAL REFERENCE BY THE  
24 BUCOR, BJMP AND PROVINCIAL JAILS."

25  
26 "A LIST OF PRISONERS WHO MAY BE RELEASED PURSUANT TO THE APPLICATION  
27 OF THIS PROVISION SHALL BE MADE AVAILABLE TO THE PUBLIC IN THE WEBSITE  
28 OF THE BUREAU OF CORRECTIONS AND THE BUREAU OF JAIL MANAGEMENT AND  
29 PENOLOGY AND POSTED IN CONSPICUOUS PLACES IN PRISONS AND IN THE CITY  
30 OR MUNICIPAL HALLS WHERE THEY ARE DETAINED AT LEAST 6 MONTHS FROM  
31 THEIR SCHEDULED RELEASE, AT WHICH TIME THE BUCOR AND THE BJMP MAY  
32 STILL ACCEPT FROM THE PUBLIC OPPOSITIONS ON THEIR RELEASE AND SHALL  
33 RULE ON THE BASIS OF THE MERITS UNDER EXISTING LAWS, RULES AND  
34 REGULATIONS."

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36 **SEC. 2.** Article 99 of the same Act is hereby amended to read as follows:  
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38 "ART. 99. Who grants time allowances. – Whenever lawfully justified, the Director of the  
39 Bureau of Corrections, the Chief of the Bureau of Jail Management and Penology and/or  
40 the Warden of a provincial, district, municipal or city jail shall grant allowances for good  
41 conduct. [~~Such allowances once granted shall not be revoked~~]."  
42

43 "PROVIDED THAT THE COMPUTATION OF GOOD CONDUCT TIME ALLOWANCE AND  
44 THE GRANT OF SUCH SHALL BE REVIEWED BY THE BOARD OF PARDONS AND  
45 PAROLE."  
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47 **SEC. 3.** *Appropriations.* - The initial amount necessary for the implementation of this Act  
48 shall be charged against the current fiscal year's appropriations of the Department of Justice for  
49 all jails under the Bureau of Corrections and the Department of Interior and Local Government  
50 for all jails under the Bureau of Jail Management and Penology. Thereafter, such sums as may be  
51 necessary for the continued implementation of this Act shall be included in the annual General  
52 Appropriations Act of the respective departments.

1           **SEC. 4. *Repealing Clause.*** – All laws, decrees, orders, rules and regulations, or other  
2 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or  
3 modified accordingly.  
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5           **SEC. 5. *Separability Clause.*** – If any portion or provision of this Act is declared  
6 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in  
7 force and effect.  
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9           **SEC. 6. *Effectivity.*** – This Act shall take effect after fifteen (15) days following the  
10 completion of its publication either in the Official Gazette or in a newspaper of general  
11 circulation in the Philippines.  
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13           *Approved,*