

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



HOUSE OF REPRESENTATIVE

H.B. No. 4461

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

EXPLANATORY NOTE

Republic Act No. 7659 defined “heinous crimes” as grievous, odious and hateful offenses which by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and ordered society. RA 7659, signed in 1993, says that heinous crimes include: treason, piracy in general and mutiny on the high seas in the Philippine waters, qualified piracy, qualified bribery, parricide, murder, infanticide, kidnapping and serious illegal detention, robbery with violence against or intimidation of persons, destructive arson, rape, and importation, distribution, manufacturing and possession of illegal drugs.

This bill seeks to protect the public from prisoners who are convicted of heinous crimes by establishing a maximum-security facility separate from the general population of prisoners. These prisoners should not be mixed with other inmates to ensure that those convicted of heinous crimes will not influence those who did not commit crimes as grave as they did.

This Heinous Crimes Penitentiary will house the most dangerous, vicious, and violent criminals. This facility will ensure the control of these criminals and give the general public a sense of security and a peace of mind that they are away from those who have proven themselves depraved of basic moral aptitude necessary to live in a peaceful community.


TEODORICO T. HARESCO, JR.

HOUSE OF REPRESENTATIVES
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Introduced by **Representative TEODORICO T. HARESCO, JR.**

AN ACT
ESTABLISHING A MAXIMUM SECURITY FACILITY FOR PERSONS CONVICTED OF
HEINOUS CRIMES 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. SECTION 1. *Short Title.* – This act shall be known as “Maximum Security for Heinous Crimes Convicts Act”

SEC. 2. *Declaration of Policy.* – Section 5 of Article II states that “[t]he 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.” Section 11 of Article II states that “[t]he State values the dignity of every human person and guarantees full respect for human rights.”

SEC. 3. *Definition of Terms.* –

a.) Heinous Crimes- are crimes described as heinous for being grievous, odious and hateful offenses and which, by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and ordered society as defined in Republic Act 7659.

b.) High-level Offenders – Offenders convicted of Heinous Crimes shall be considered as High-level Offenders.

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 – 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.

SEC. 4. *Transfer of Heinous Crimes Offenders to the Maximum Security for Heinous Crimes Facility.* – There shall be established and maintained a secured, clean and sanitary penitentiary for the custody and safekeeping of offenders serving their sentence for Heinous Crimes kept at the prison facilities of the Bureau of Corrections, which shall be kept and maintained in an uninhabited place, away from the general population and other prisoners not convicted of a Heinous Crime.

The transfer of High-Level Offenders shall be made within a period of 30 days from the completion of the construction of the Heinous Crimes Penitentiary.

1 **SEC. 5. *Location of the Maximum Security for Heinous Crimes Facility.*** – The Maximum
2 Penal Institution shall be built in a suitable and uninhabited land to be determined by the
3 Secretary of Justice. The Maximum Penal Institution shall be located in a separate and
4 uninhabited place ensuring that there is no unwarranted contact or communication with those
5 outside of the penal institution, preferably in Fort Ramon Magsaysay.

6 **SEC. 6. *Coverage.*** – This Act shall apply to all high-level heinous crimes offenders kept at
7 the prison facilities of the Bureau of Corrections and the Bureau of Jail Management and
8 Penology.

9
10 **SEC. 8. *Conduct of Inspection.*** – An internal inspection, which is conducted by the prison
11 administration, and an external inspection, which is conducted by the Department of Justice,
12 shall be conducted on a regular basis to ensure that the institution is administered in accordance
13 with existing laws and regulations and to bring about the attainment of the objectives of the
14 penal system.

15
16 **SEC. 9. *Funding Source.*** – The funds required for the implementation of this Act shall be
17 taken from the budget of the Department of Justice for the current fiscal year. Thereafter, such
18 amounts as may be necessary to implement this Act shall be included in the annual General
19 Appropriations Act.

20
21 **SEC. 10. *Separability Clause.*** – If any portion or provision of this Act is declared
22 unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in
23 force and effect.

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25 **SEC. 11. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or portions thereof,
26 which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified
27 accordingly.

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29 **SEC. 12. *Effectivity.*** – This Act shall take effect after fifteen (15) days following the
30 completion of its publication either in the Official Gazette or in a newspaper of general
31 circulation in the Philippines.

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33 *Approved,*