

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Batasan Hills, Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

House Bill No. 4683



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Introduced by  
**HON. FERDINAND MARTIN G. ROMUALDEZ**

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**AN ACT ESTABLISHING A SEPARATE FACILITY FOR PRISONERS  
CONVICTED OF HEINOUS CRIMES**

**EXPLANATORY NOTE**

Recent news events prove and confirm the failure of the present treatment program and detention security measures of the Bureau of Corrections in the matter of containing and preventing high-level illegal-drugs inmates from continuing their possession, trading and trafficking of illegal drugs while under detention. This circumstance is an area of grave concern for government in particular and the whole Philippine society. As recent as the previous months of 2016, after a series of inspections/raids of the premises of the New Bilibid Prisons, several contraband items, including prohibited drugs, were confiscated. These incidents prove that convicted drug lords could continue their illegal drug business inside the premises of the national penitentiary, probably with the aid of regular inmates with whom they are commingled.

The philosophy of penology recognizes the need to classify the prisoners into reasonable categories for rehabilitation, treatment and protection of society. This is one of the mandated responsibilities of the Bureau of Corrections in safekeeping inmates and completely incapacitating them, especially high-level illegal-drugs offenders, while serving their sentences.

In light of these principles, and conscious of recent news events and circumstances evidencing the failure of the Bureau of Correction on the matter of the security of high-level illegal drug offenders and inmates, the following bill is hereby proposed to establish a separate facility for convicted prisoners of heinous crimes.

This bill aims creates the Maximum Penal Institution which will be built in a suitable location to be determined by the Secretary of Justice, preferably within a military establishment or in an island separate in the mainland. The Maximum Penal Institution is proposed to be located in a secured and isolated place ensuring that there is no unwarranted contact or communication with those outside of the penal institution. There shall be three Maximum Penal Institutions for heinous crimes starting in Luzon, then in Visayas and Mindanao.

Thus, the passage of this bill will strengthen the nation's fight against drug crimes and limits the propagation of more heinous crimes across the nation.

In this context, passage of the measure is earnestly requested.

  
**Rep. FERDINAND MARTIN G. ROMUALDEZ**  
Representative, First District of Leyte

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
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**EIGHTEENTH CONGRESS**

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**AN ACT ESTABLISHING A SEPARATE FACILITY FOR PRISONERS  
CONVICTED OF HEINOUS CRIMES**

*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 “Separate Facility for Heinous Crimes Inmates Act”

**SECTION 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.”



**SECTION 3. Definition of Terms. –**

- a) *High-level Offenders* – Offenders convicted of Heinous Crimes shall be considered as High-level Offenders.
- b) *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.
- c) *Secured and isolated place* – One far away from civilian communities that would ensure the safety and security of the former and prevent the facility from possible intrusion or intruders.

**SECTION 4. Transfer of Heinous Crimes Offenders to the Heinous Crimes Facilities.**

– There shall be established and maintained a secured, clean and sanitary penitentiary for the custody and rehabilitation of offenders serving their sentence for Heinous Crimes kept at the prison facilities of the Bureau of Corrections.

The transfer of inmates shall be made within a period of 30 days from the completion of the construction of the Heinous Crimes Facility.

**SECTION 5. Location of the Maximum Penal Institution.** – The Maximum Penal Institution shall be built in a suitable location to be determined by the Secretary of Justice, preferably within a military establishment or in an island separate in the mainland.

The Maximum Penal Institution shall be located in a secured and isolated place ensuring that there is no unwarranted contact or communication with those outside of the penal institution. There shall be three Maximum Penal Institutions for heinous crimes starting in Luzon, then in Visayas and Mindanao.

**SECTION 6. The Facility.** – The Maximum Penal Institutions shall be a state-of-the-art facility with surveillance cameras, latest information and security system capable of 24/7 monitoring of prisoners, and with enhanced and extensive security features on locks, doors, and its perimeters.

The facility shall be maintained clean and habitable at all times. Sanitary and hygienic comfort rooms shall be provided and maintained.

**SECTION 7. Coverage.** – This Act shall apply to all high level heinous crimes offenders kept at the prison facilities of the Bureau of Corrections.

**SECTION 8. Conduct of Inspection.** – An internal inspection, which is conducted by the prison administration, and an external inspection, which is conducted by the Department of Justice, 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 9. Oversight Provision.** – Congress shall conduct a regular review of compliance to the “Separate Facility for Heinous Crimes Inmates Act” which shall entail a systematic evaluation of concerned agencies’ performance with respect to the laws objectives and intents. The review shall be undertaken by the Committee of the Senate and the House of Representatives which have legislative jurisdiction over the law.

**SECTION 10. Funding Source.** – The funds required for the implementation of this Act shall be taken from the budget of the Department of Justice for the current fiscal year. Thereafter, such amounts as may be necessary to implement this Act shall be included in the annual General Appropriations Act.

**SECTION 11. Separability Clause.** – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

**SECTION 12. Repealing Clause.** – All laws, decrees, orders, and issuances, or portions thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

**SECTION 13. Effectivity.** – This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.



Approved,