

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



Senate
Office of the Secretary

'19 SEP 17 A9:38

S E N A T E

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COMMITTEE REPORT NO. 5

Submitted jointly by the Committees on Justice and Human Rights; Public Order and Dangerous Drugs; and Finance on SEP 17 2019.

Re: Senate Bill No. 1055.

Recommending its approval in substitution of Senate Bill Nos. 2, 983, and 1004.

Sponsor: Richard J. Gordon

MR. PRESIDENT:

The Committees on Justice and Human Rights; Public Order and Dangerous Drugs; and Finance to which were referred **Senate Bill No. 2**, introduced by Senator Vicente C. Sotto III, entitled:

"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 "

Senate Bill No. 983, introduced by Senator Richard J. Gordon, entitled:

"AN ACT

ESTABLISHING A SEPARATE FACILITY FOR PRISONERS CONVICTED OF HEINOUS CRIMES"

and **Senate Bill No. 1004**, introduced by Senator Juan Miguel F. Zubiri, entitled:

**"AN ACT
ESTABLISHING A SEPARATE PRISON FACILITY FOR THOSE CONVICTED OF
HEINOUS CRIMES"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached **Senate Bill No. 1055**, prepared by the Committees, entitled:

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

be approved in substitution of Senate Bill Nos. 2, 983 and 1004 with Senators Sotto III, Gordon, Zubiri and Dela Rosa as authors thereof.

Respectfully submitted:

Chairpersons

SENATOR RICHARD J. GORDON

Committee on Justice & Human Rights

Vice-Chairperson, Committee on Finance

Member, Committee on Public Order & Dangerous Drugs

*Any area for penitentiary
must be carefully considered/studied*

SENATOR SONNY ANGARA

Committee on Finance

Vice-Chairperson, Committee on Ways & Means

Member, Committee on Justice & Human Rights

SENATOR RONALD "BATO" DELA ROSA

Committee on Public Order & Dangerous Drugs

Member, Committee Finance

Vice-Chairpersons

SENATOR CYNTHIA A. VILLAR

Committee on Finance

SENATOR PANFILO M. LACSON

Committees on Justice & Human Rights; and Finance

Member, Committee on Public Order & Dangerous Drugs

SENATOR WIN GATCHALIAN

Committee on Finance

Member, Committee on Justice & Human Rights

SENATOR CHRISTOPHER "BONG" GO

Committee on Finance

Member, Committee on Public Order & Dangerous Drugs

SENATOR IMEE R. MARCOS

Committee on Finance

SENATOR RISA HONTIVEROS

Committee on Finance

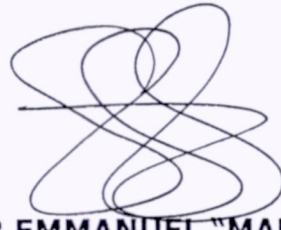
Member, Committee on Public Order & Dangerous Drugs

Members



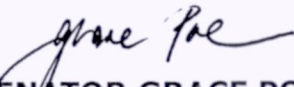
SENATOR FRANCIS "TOL" N. TOLENTINO

Committees on Public Order & Dangerous Drugs; and Finance



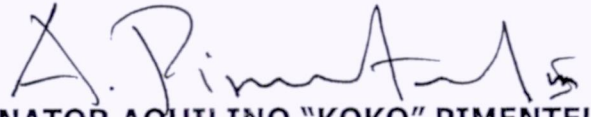
SENATOR EMMANUEL "MANNY" D. PACQUIAO

Committees on Justice & Human Rights; Public Order & Dangerous Drugs; and Finance



SENATOR GRACE POE

Committee on Finance



SENATOR AQUILINO "KOKO" PIMENTEL III

Committees on Justice & Human Rights; and Finance



SENATOR MARIA LOURDES NANCY S. BINAY

Committee on Finance

SENATOR FRANCIS N. PANGILINAN

Committees on Justice & Human Rights; and Finance



SENATOR MANUEL "LITO" M. LAPID

Committees on Justice & Human Rights; and Finance

SENATOR LEILA M. DE LIMA

Committees on Justice & Human Rights; Public Order & Dangerous Drugs; and Finance

Ex-Officio Members

SENATOR RALPH G. RECTO

President Pro-Tempore

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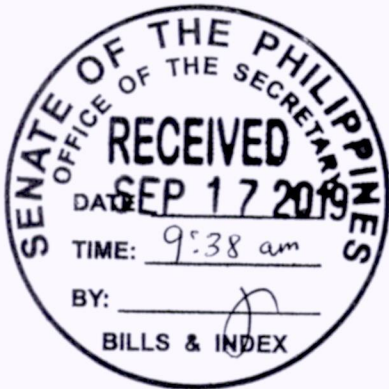
SENATOR JUAN MIGUEL F. ZUBIRI
Majority Leader

A handwritten signature in black ink, featuring a series of loops and a long vertical stroke at the bottom.

SENATOR FRANKLIN M. DRILON
Minority Leader

HON. VICENTE C. SOTTO III

Senate President



S E N A T E

SENATE BILL NO. 1055

Prepared by the Committees on Justice and Human Rights; Public Order and Dangerous Drugs; and Finance, with Senators Sotto III, Gordon, Zubiri and Dela Rosa as authors thereof.

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:

- 1 **SECTION 1. Short Title.** – This Act shall be known as "Separate Facility for
2 Heinous Crimes Inmates Act"
- 3 **SEC. 2. Declaration of Policy.** – Section 5 of Article II states that "[t]he
4 maintenance of peace and order, the protection of life, liberty, and property, and the
5 promotion of the general welfare are essential for the enjoyment by all the people of
6 the blessings of democracy." Section 11 of Article II states that "[t]he State values
7 the dignity of every human person and guarantees full respect for human rights."

1 **SEC. 3. *Definition of Terms.*** –

2 a) High-level Offenders – Offenders convicted of Heinous Crimes shall be
3 considered as High-level Offenders.

4 b) Inmates – Offenders convicted by the courts to serve sentences of three
5 years or more and kept at the prison facilities of the Bureau of Corrections.

6 c) Secured and isolated place – One far away from civilian communities that
7 would ensure the safety and security of the former and prevent the facility
8 from possible intrusion or intruders.

9 **SEC. 4. *Transfer of Heinous Crimes Offenders to the Heinous Crimes***
10 ***Facilities.*** – There shall be established and maintained a secured, clean and
11 sanitary penitentiary for the custody and rehabilitaion of offenders serving their
12 sentence for Heinous Crimes kept at the prison facilities of the Bureau of
13 Corrections.

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

16 **SEC. 5. *Location of the Maximum Penal Institution.*** – The Maximum
17 Penal Institution shall be built in a suitable location to be determined by the
18 Secretary of Justice, preferably within a military establishment or in an island
19 separate in the mainland. The Maximum Penal Institution shall be located in a
20 secured and isolated place ensuring that there is no unwarranted contact or
21 communication with those outside of the penal institution. There shall be three
22 Maximum Penal Institutions for heinous crimes starting in Luzon, then in Visayas and
23 Mindanao.

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

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

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

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

14 **SEC. 9. Oversight Provision.-** Congress shall conduct a regular review of
15 compliance to the "Separate Facility for Heinous Crimes Inmates Act" which shall
16 entails a systematic evaluation of concerned agencies' performance with respect to
17 the laws objectives and intents. The review shall be undertaken by the Committee of
18 the Senate and the House of Representatives which have legislative jurisdiction over
19 the law.

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

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

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

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

Approved,