

# PHILIPPINE CRIMINAL JUSTICE SYSTEM

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The Philippine Government has organized and established institutions which serve to maintain peace and order. These institutions are responsible for preventing crimes, enforcement of laws, and apprehension and prosecution of those who violate the law. If the courts of law find them guilty of committing a crime, they shall be confined in order for those people to be rehabilitated and to be reintegrated into the community as law abiding citizens.

These institutions organized by the Government have incorporated themselves in order to establish a Criminal Justice System. This system is composed of: the Law Enforcement, Prosecution, Court, Corrections and the Mobilized Community. Law Enforcement effects the arrest of those people who violated the law. The Prosecution considers the background to determine whether the person arrested for violating a law should be prosecuted. The Court is the cornerstone of the system wherein it determines whether the person charged with a criminal offence is guilty or not.

When the courts of law find an individual guilty of violating the law, a sentence shall be imposed upon him, not to change the criminal's attitude, but as a penalty. When a person has been proven guilty beyond reasonable doubt, he or she must be placed in confinement for the protection of the criminal and for the community's welfare. Criminals are considered prisoners while they serve their sentences imposed by the court for transgressing the law.

Prisoners are classified as National or Insular Prisoners, whose sentences are more than three (3) years to death and who will serve his or her sentence at the National Penitentiary. Based on the Bureau of Corrections reception procedures, female convicts will serve their sentences at the Correctional Institution for Women at Madaluyong City, while male convicts will serve their sentences at any of the country's correctional institutions, namely: San Ramon Prison & Penal Farm, Zamboanga; Iwahig Prison & Penal Farm, Palawan; Davao Prison and Penal Farm, Dajuli, Davao del Norte; New Bilibid Prison, Muntinlupa; Sablayan Prison and Penal Farm, Sablayan Occidental Mindoro, and Leyte Regional Prison, Leyte.

Before a convict can enter a penal institution, the convict must first undergo admission and classification procedures. The operating manual of the Bureau of Corrections mandates the submission of the following documents: (1) Commitment Order from the Court or Mittimus; (2) Court Decision of the Case; (3) Information filed by the City/Provincial Prosecutor; (4) Certificate of Detention, if any, from the City, Provincial and/or Municipal Jail where the prisoner was previously detained.

The prisoner will then be received at the Reception and Diagnostic Center (RDC), and the prisoner's identity will be examined through submitted photographs and fingerprints. The authenticity of the documents will also be carefully examined. The inmates will also be photographed and fingerprinted by RDC staff for comparative and records purposes of the Bureau of Corrections. After the prisoner is admitted, the prisoner will stay at the RDC for a total of sixty (60) days. The inmate will be placed first in a quarantine cell for at least five days (5) wherein the prisoner will be medically examined to determine illness and, if found to have infectious or contagious diseases, he shall be immediately confined in the hospital until his recovery. After the quarantine, the inmate shall remain at the RDC for a period not exceeding fifty-five (55) days, wherein the inmate shall undergo orientation of prison rules and regulations, the condition of prison life, and institutional programmes for their early release. A staff interview will be conducted by the Psychiatrist, Sociologist, Educational Counselor, Vocational

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Counselor, Chaplain, Medical Officer, and Custodial or Correctional Officer. All the facts and data gathered during the staff interviews will be used as the basis for classification, diagnosis, and planning for the treatment programme of the prisoner. After the staff interview, a Staff Conference will be called for the purpose of discussing the treatment programme of the prisoner, and the inmate will be informed about their findings and recommendation for his rehabilitative programme.

An admission Summary will be submitted by the RDC to the penal superintendent which contains the legal accountabilities of the case of the prisoner, criminal history, social history, physical history, vocational interest, competence, experience and training, educational qualification, religious background and interests, recreational interests, psychological characteristics and other behavioural characteristics. The recommended treatment programme will also be attached, which will serve as a guide in the execution of the treatment programme at the operating institution. All of these things will be submitted by the RDC to the Penal Superintendent and to the operating institution to which the prisoner may later belong.

The operating institution is the actual cell assignment where the prisoner shall be placed. Before the inmate can enter the operating institution, he or she shall first be classified as to what security classification he or she belongs. All information about the convict and the result of the examinations conducted will be used by the Classification Board for the security classification of the prisoner. The classification board is composed of the following: the Penal Superintendent as Chairman; The Chief of the Reception and Diagnostic Center as Vice-Chairman; the NBP Medical Officer, the Chief Education Section, the Chief Agro-Industries Section as members and the Chief Overseer of the Penal Colony as Secretary. The Chief of Agri-Industries' role in the classification process is to ascertain whether work programmes granted to inmates are viable considering their security statuses.

The prisoners are classified in the operating institution into maximum-security offenders, medium security offenders, and minimum-security offenders. The purposes for the classification of offenders are: 1) To separate offenders who by reason of their criminal record or derogatory character are likely to exercise a bad influence on other offenders; 2) To separate offenders who by gravity of their offences have been sentenced to longer periods of imprisonment and therefore require a more secure facility; and 3) To divide and segregate the offenders into classes to facilitate their rehabilitative treatment.

Maximum-security offenders include offenders who are highly dangerous as determined by the Classification Board, which requires a high degree of control and supervision. Under this category are those: (1) sentenced to death, (2) those whose minimum sentence is 20-years, imprisonment, (3) remand inmates or those inmates whose cases are still under review by the Supreme Court or Court of Appeals and inmates whose sentences are over 20 years, (4) those with pending cases, (5) recidivists, habitual delinquents, escapees, (6) those confined at the Reception and Diagnostic Center, (7) those under disciplinary punishment or safe keeping, and (8) those who are criminally insane or those suffering from severe personality or emotional disorders that make them dangerous to fellow inmates and prison staff.

Medium-security offenders are those who cannot be trusted in less secured areas and whose conduct or behaviour requires minimum supervision. Under this category are: (1) those whose minimum sentences are less than 20 years' imprisonment; (2) remand inmates or detainees whose sentences are below 20 years, (3) those who are 18 years of age and below, regardless of the case and sentence, (4) those who have two or more records of escapes (they can be classified as medium security inmates if they have served eight years in the maximum-security camp after they were recommitted; those with one record of escape must have served five years in the maximum-security camp), (5) first-time offenders sentenced to life imprisonment (they may be classified as medium security if they have served five years or less in a maximum-security prison, upon recommendation of the Superintendent; those who were detained in a City and/or Provincial Jail for five years are not entitled to said classification).

Minimum-security offenders are those who can be reasonably trusted to serve their sentences under less restricted conditions. Under this category are: (1) those with a severe physical handicap as certified by the chief medical officer of the prison, (2) those who are sixty-five years old and above, without pending cases and whose convictions are not on appeal, (3) those who have served one-half (1/2) of their

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minimum sentence or one-third (1/3) of their maximum sentence, excluding the Good Conduct Time Allowance (GCTA), and (4) those who have only six months more to serve before the expiration of their maximum sentence.