



## **COMMISSION ON HUMAN RIGHTS REPUBLIC OF THE PHILIPPINES**

### **REGIONAL JAIL AND DETENTION HUMAN RIGHTS SITUATIONER**

July to December 2020

#### **I. INTRODUCTION AND RATIONALE OF THE REGIONAL SITUATION REPORT:**

Calendar year 2020 could be toughest and the most challenging year for the Commission on Human Rights Philippines in performing its mandates in the various fields of human rights endeavour's because of the global pandemic covid19 and still people's negative perception on human rights. But being a constitutionally mandated agency we must do what we are supposed to do. One of the Constitutional functions of the Commission on Human Rights is to conduct periodic visits to jail, detention facilities and lock-up cells which are under the control of BJMP; PNP and other law enforcement agencies, where persons are detained or lodged for the purposes of detention, reformation or rehabilitation. In connection with this mandate, the Commission has been visiting these institutions to obtain a first-hand assessment on the conditions of the jails; detention / lock-up cells and the living conditions of the inmates / detainees' especially during the covid19 pandemic.

#### **II. JAIL DEMOGRAPHICS AND ACTIONS TAKEN:**

On the part of CHR – RO1, jail visitation, as one of the priorities of commission, aims to achieve the following purposes:

1. To check the prisons'/detention cells condition and to make necessary recommendations for its improvement;
2. To provide legal assistance to prisoners / detainees who need one;
3. For prison personnel / officials & inmates to be familiarized with the CHR programs and jail visitation;
4. To contribute in way for the rehabilitation & reformation of the detainee's;
5. To detect human rights violations within the jail.

Our area of jurisdiction is composed of four provinces and combined 119 municipalities and 9 cities divided as follows; to wit:

- a. Ilocos Norte - 21 municipalities & 2 cities;
- b. Ilocos Sur - 32 municipalities & 2 cities;
- c. La Union - 21 municipalities & 1 city; and
- d. Pangasinan – 44 municipalities & 4 cities.

All over Region 1 as of the last count, there are 156 jails/detention Cells, categorize as follows; to wit:

1. Four [4] Provincial Jails – under the supervision of the Provincial Government;
2. Nineteen (19) combined District, Municipal & City Jails – under the supervision of the Bureau of Jail Management and Penology [BJMP];

3. One hundred twenty-five [125] Detention / Lock-up Cells under the supervision of the Philippine National Police [PNP] located in the different municipalities and city police stations in the region;
4. Six [6] detention cells under the supervision of PNP-CIDG;
5. One (1) detention cell supervise by Philippine Drug Enforcement Agency 1 (PDEA);
6. One (1) detention cell supervises by National Bureau of Investigation Regional Office 1.

In addition there is at least two (2) Bahay Pag-asa operated by a Local Government Units and One (1) Rehabilitation Center for youth under the supervision of DSWD in Region 1.

For the calendar year 2020, there was a shift in the conduct of regular jail visitation, each CHR Regional Office should at least visit one-fifth (1/5) of the total number of detention / jail facilities within their respective jurisdiction based on the inventory of jail / detention facilities submitted. For Region 1, the Assistance & Visitation Office (AVO) had identified twenty five (25) jail / detention facilities that will be prioritize in jail visitation. In order to maximize the travel, additional detention/jail facilities were included in the jail visit. But in the early part of CY 2020, the covid19 crisis had affected the implementation of the 2020 Jail visit Plan, thus on March 11, 2020, Atty. Homero Matthew P. Rusiana, Director IV, Prevention Cluster, issued a memorandum directing all regional offices the suspension jail visitation indefinitely.

As per directive of the Atty. Homero Matthew P. Rusiana on September 16, 2020, the Regional Offices were advised to revise the 2020 Jail Visit Plan for July to December 2020. On the revised Jail Visit Plan, this office had targeted & conducted a total of 126 jail visits within the different parts of the region (*see table 1*). In the course of the jail visitations conducted, 183 combined inmates / detainees (18 females & 165 males) were given legal assistance (*see table 2*).

Table 1

1. Bahay Pag-asa	-
2. Regional Rehabilitation Center for youth	-
3. Provincial Jail	1
4. BJMP Controlled Jails	15
5. Detention / Lock-up Cells (PDEA; PNP etc)	110
Total	126

Table 2

1. Bahay Pag-asa	-
2. Regional Rehabilitation Center for youth	-
3. BJMP Controlled Jails	50
4. Detention / Lock-up Cells (PDEA; PNP etc.)	133
Total	183

### III. ISSUES and CONCERNs:

Amidst the covid19 pandemic, CHR – RO1 personnel had continued to conduct jail visitation in aid of investigation and other alternative mode of jail visits. It

was observed that despite the pandemic some of the detainees were arrested because of their economic needs. On the other hand, amidst the pandemic some detainees violated laws not minding the impact of it in their lives e.g. illegal gambling & violation of quarantine laws. In case of the BJMP controlled jails, regular jail visitation is still suspended for reason of health security brought about by the covid19. Further, most cases of the inmates / detainees are drug related cases. During the course of jail visits, the issues and concern encountered were the following;

1. PNP detention cell detainees could not be transferred to the BJMP Jails for health reasons e.g. all inmates must be swabbed before they will be admitted by Provincial Jails and BJMP district jails;
2. Congestion in the jails because of violation of quarantine laws & illegal gambling;
3. Alleged planting of evidence by arresting PNP officers;

Still, Aringay Police Station, Aringay, La Union has no building of its own.

#### IV. ASSESSMENT, FINDINGS AND CONCLUSIONS:

With the covid19 pandemic, inmates / detainees' rehabilitation & reformation were only focused on individualized activity in observance of the health protocol e.g. mandatory social distancing. Some PNP Detention Cells are still overcrowded because of the stringent requirements of Provincial Jails and BJMP controlled jails. All other activities inside the jail facilities were suspended during the duration of the pandemic.

Further, social services are provided to the inmates on case to case basis with the strict observance of the health protocols in coordination with jail personnel and PNP officers. PNP Stations Officials and Jail personnel are doing their best to address the needs of detainees' / inmates without violating health protocol standards.

Lastly, the meal / food allowance of inmates / detainees in both the provincial jails and BJMP Jails remains at seventy pesos [P70.00] per inmate per day. Still, detainees within the PNP detention cells have no food / meal allowance provided because it is not within their budget of the police stations yet foods of the detainees are given by the PNP personnel themselves for humanitarian reasons.

#### V. RECOMMENDATIONS:

It is recommended that the following be further undertaken;

1. Periodic jail visit and/or monitoring of jail situation using alternative mode of jail visit;
2. Intensify information drive inside the jail thru alternative electronic means;
3. Additional personnel;
4. Additional budget solely for the conduct of jail visitation.

*Prepared by:*

ERNESTO B. DONGAEL  
Investigator-in-charge

*Approved by:*

ATTY. HAROLD D. KUB - ARON  
Regional HR Director