



CHARACTERIZATION OF PERSONS DEPRIVED OF LIBERTY (PDLs) AT QUIRINO PROVINCIAL JAIL

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ABSTRACT: *Provincial jails in the Philippines are located in each of the province under the Office of the Provincial Government. Persons Deprived of Liberties (PDLs) who were charged with different cases were committed by the court for their safety and for them to easily attend scheduled trials for the cases against them. In the province of Quirino, the jail is manned by a warden. During the collection of data, there were only eight (8) PDLs who were awaiting final judgment of the cases filed against them. The researcher made use of a questionnaire to gather the needed data from the respondents. Interview was also conducted in order to verify some vague answers on the questionnaire. Findings of the study on age, most of the respondents are young with an age brackets of 18-27 years old, ally are males, married, Roman Catholic, reached / finished elementary, not employed, committed crimes against special laws and were arraigned, attended 6-10 times court hearings, been in jail for 2 years 1 day to 3 years and most claimed that they were alleged suspects of the crimes charged against them. It is therefore concluded that the crimes committed varies from each other since PDLs came from all walks of life. That the profile has nothing to do with the nature or commission of the crimes by the respondents.*

KEYWORDS: *Arraignment, Commitment Order, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, Provincial Jail, Warden, Characterization, Release.*

INTRODUCTION

Provincial jails in the Philippines are located in each of the province under the Office of the Provincial Government. Persons Deprived of Liberties (PDLs) who were charged with different cases were committed by the court for their safety and for them to easily attend scheduled trials for the cases against them. In the province of Quirino, the jail is manned by a warden. During the collection of data, there were only eight (8) PDLs who were awaiting final judgment of the cases filed against them.

Many considered incarceration as deprivation of liberty. According to **International Standards and Norms, deprivation** commences as of the moment when the person is made aware, by means of physical restraining, words or behaviour, that they are not free to leave the place. This moment does not depend on how national laws regulate the moment of deprivation of liberty, as in many countries the moment of deprivation of liberty is taken to be the moment when the protocol/official record on such deprivation is made. However, the Court holds that deprivation of liberty commences when a person is "not allowed" to leave the spot. The case of *K.-F. v. Germany* (1997) is a paragon in this regard. A person was taken from their apartment to a police station, where an official record on deprivation of



liberty was made an hour and 45 minutes after the arrest in the apartment. The Court took the period of one hour and 45 minutes into consideration when adjudicating on the case.

Under RULE II of Republic Act 10575, it is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary by promoting and ensuring their reformation and social reintegration, creating an environment conducive to rehabilitation and compliant with the United Nations Standard Minimum Rules for Treatment of Prisoners (UNSMRTP). It also recognizes the responsibility of the State to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services.

International Committee of the Red Cross mentioned that all people deprived of their liberty have the right to judicial and procedural safeguards. This ensures the legality of the judicial or administrative proceedings that they are going through, and protects them from being detained arbitrarily. International law has defined judicial safeguards that should be incorporated into domestic law. These safeguards can have a vast influence on the lives of detainees throughout their time in detention. Why have they been detained? What is happening now? How, when and by whom will their case be decided, and how can they defend themselves? These questions are all essential to the mental and psychological well-being of detainees and their families, and are often among the first concerns raised by the detainees with whom ICRC delegates meet.

In addition, rehabilitating people who have been deprived of their liberty requires actions and services that restore the physical, psychological and social integrity that was eroded by detention. Reintegration is a long and complex process, which in many cases can do no more than mitigate certain consequences of detention. It encompasses physical and mental health, social reintegration, economic security and physical security.

STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Quirino Provincial Jail, Cabarroguis, Quirino. Specifically, it sought to answer the following questions:

1. What is the profile of the respondents in terms of:
 - 1.1 Age
 - 1.2 Sex
 - 1.3 Civil Status
 - 1.4 Religion
 - 1.5 Highest Educational Attainment
 - 1.6 Occupation before Detention
2. What was the crime committed by the PDLs?
3. What is the status of the case of the PDLs as to:
 - 3.1 Arraignment Status
 - 3.2 Number of hearings



3.3 Number of years in jail

4. What circumstance that has led to the commission of the crime?
5. Is there a relationship on the crimes committed when grouped according to select profile variables?

METHODOLOGY

This study employed the descriptive-correlational research design. It was used particularly to describe the profile of the Persons Deprived of Liberty (PDLs) at Quirino Provincial Jail, Cabaroguis, Quirino to determine the relationship among the profile variables, the status of the case and the circumstance that has led to the commission of the crime.

The primary tool in gathering the needed data was the questionnaire. The questionnaire was constructed by the researcher and pre-tested to determine the validity of the questions. Results of the pre-test were the basis of revising some questions not properly understood during the pre-test.

The data were tabulated, analyzed and interpreted by the researcher using descriptive statistics such as frequency counts, percentages and Pearson r' .

RESULTS AND DISCUSSIONS

Profile of the Respondents

Table 1. Frequency and Percentage Distribution of the Respondents' Profile as to Age

Age	Frequency	Percentage
Below 18 years	-	-
18-27 years old	3	37.5
28-37 years old	1	12.5
38-47 years old	1	12.5
48-57 years old	1	12.5
58 or more	2	25
Total	8	100

Table 1 presents the frequency and percentage distribution of the respondents' profile as to age. As presented, frequencies of 3 or 37.5 percent belong to the age brackets of 18-27 years old. The data imply that respondents are relatively young when they got involved in the commission of crimes and was committed in jail by the court.

Table 2. Frequency and Percentage Distribution of the Respondents' Profile as to Sex

Sex	Frequency	Percentage
Male	8	100
Female	-	-
Total	8	100



Table 2 shows that all the respondents are males which implies that males are more prone to get involved in crime compared to females.

Table 3. Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Frequency	Percentage
Single	3	37.5
Married	5	62.5
Total	8	100

As presented in Table 3, a frequency of 5 or 62.5 percent is married followed by a frequency of 3 or 37.5 single. The data imply that regardless of the civil status, a person has the tendency to get involved in the commission of crimes.

Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Frequency	Percentage
Roman Catholic	5	62.5
Iglesia Ni Cristo	1	12.5
Born Again	2	25
Others	-	-
Total	8	100

As presented in Table 4, majority of the respondents are Roman Catholics with a frequency of 5 or 62.5 percent. The data imply that Roman Catholic is the most dominated religion in this part of the province.

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	4	50
HS Level / graduate	3	37.5
College Level / graduate	1	12.5
Post Studies Level / graduate	-	-
Total	8	100

Table 5 shows that most of the respondents barely finished the basic formal education when they got involved in the commission of crimes.

Table 6. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention.

Occupation before Detention	Frequency	Percentage
Farmer	2	25
Government Employee	-	-
Self-Employed	2	25
Others (not employed)	4	50
Total	8	100



The frequency and percentage distribution of the respondents' profile as to occupation before detention is presented in Table 6. Majority of the respondents were not employed before the commission of the crimes which implies that do not have permanent jobs as a source of living.

Table 7. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	3	37.5
Crimes against property	1	12.5
Crimes against Special Laws	4	50
Others	-	-
Total	8	100

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, majority of the respondents got involved on crimes against special laws (like RA 9165) wherein the penalty is heavier compared to those crimes punishable under the RPC.

Table 8. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	8	100
Not Yet	-	-
Total	8	100

All of the respondents have been arraigned on the cases filed against them. The data imply that all of them were informed of the cause of accusation and have been asked by the court if they pleaded guilty or not on the crime charged.

Table 9. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Number of Court Hearings

Number of Court Hearings	Frequency	Percentage
0	1	12.5
1-5	-	-
6-10	4	50
11-15	-	-
16-20	3	37.5
21 or more	-	-
Total	8	100

Table 9 presents the frequency and percentage distribution on the status of the case of the respondents as to number of court hearings. As gleaned from the table, a frequency of 4 or 50 percent attended court hearings falling within the bracket of 6 to 10 times. The data imply that most of the PDLs have attended many court hearings for the cases filed against



them due to various reasons and circumstances and awaiting final judgment from the court.

Table 10. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Duration of Stay in Jail

Duration of Stay in Jail	Frequency	Percentage
Below 1 month	-	-
1-6 months	1	12.5
6 months 1 day-12 months	-	-
1 year 1 day to 2 years	-	-
2 years 1 day to 3 years	4	50
3 years 1 day and more	3	37.5
Total	8	100

The frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail is shown in Table 10. The highest frequency of 4 or 50 percent of the respondents stayed in jail falling within the bracket of 2 years 1 day to 3 years. The data imply that most of the respondents have been in jail for quite some time for court trials for the crimes charged against them.

Table 11. Frequency and Percentage Distribution on the Circumstance that has led to the Commission of the Crime

Circumstance that has led to the Commission of the Crime	Frequency	Percentage
Revenge	-	-
Alleged Suspect	6	75
Jealousy	-	-
Poverty	-	-
Self-Motivated Interest	1	12.5
Self-defense	1	12.5
No reason	-	-
Others (Grudge)	-	-
Total	8	100

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 11. A frequency of 6 or 75 percent of the respondents claimed that they were "alleged suspects" for the crime charged against them. The data imply that majority of the respondents have common reason or circumstance that has led to the commission of crimes charged against them.

Table 12. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	-.964	Reject
Sex	-.153	Reject
Civil Status	.374	Reject
Religion	.654	Reject
Highest Educational Attainment	.572	Reject
Occupation before Detention	.185	Reject



± .707 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Quirino Provincial Jail is presented in Table 12. As shown on the result, the critical value of .707 is higher than any of the r' value of respondents' profile. This means that there is no significant relationship between the crimes committed and the profile of the PDLs. This implies that the null hypothesis is rejected since the profile variables have nothing to do with the commission of the crimes.

CONCLUSION

On findings of the study, it can be concluded that the crimes committed varies from each other since PDLs came from all walks of life. That the profile has nothing to do with the nature or commission of the crimes by the respondents.

RECOMMENDATIONS

In the light of the foregoing findings, the researcher has the following recommendations to offer:

1. PDLs must be prepared fully for their reintegration.
2. Provision of more job opportunities for PDLs in order to give them chance for new a life.
3. Expedite trial of cases to solve the long stay in jail.

BIBLIOGRAPHY

The Bill of Rights of the 1987 Constitution

Guidelines for Dealing With Persons Deprived Of Liberty In Closed Environment
Republic Act No. 10575, otherwise known as "the Bureau of Corrections Act of 2013"

International Committee of the Red Cross, Geneva, Switzerland

International Legal Standards for the Protection of Persons Deprived of Their Liberty