



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

JIM E. EUSEBIO, MSCrim Faculty Member, College of Criminal Justice Education Cagayan State University, Piat Campus Piat, Cagayan, Philippines

ABSTRACT: Provincial jails in the Philippines, numbering one hundred four (104) in all, including sub-provincial extensions, are under the supervision and control of the provincial governments. Persons Deprived of Liberties (PDLs) who are being catered by the jail are most those whose cases are on trial, awaiting final judgment or some are to be transported to the national penitentiary. In the same manner as the Bureau of Jail Management and Penology under the Department of the Interior and Local Government, PDLs who will stay in jails are those with penalties of not more than three years. With the vision of the jail as “a dynamic, professional and highly motivated pool of custodial officers working in partnership with community for a safe, peaceful and free environment to live in”. It is supported with its mission that “the Office of the Provincial Warden shall take custody of all detainees, prevent and control their escapes, maintain peace and order and preserve the internal security of the institution in support to the community”. It offers various programs for the PDLs as part of their preparation whenever they will be released for their re-entry into the community. In Cagayan, the new erected jail located in Carig, Tuguegarao City was established in 2014 with a total of seventy two (72) PDLs and the sub-provincial jail located in Sanchez Mira, Cagayan with a total of fifty nine (59) PDLs. Both jails have a total of sixty two (62) personnel which includes permanent and under Contract of Service / Job Orders. This study was limited on the characterization of PDLs committed at the Cagayan Provincial Jail, in Tuguegarao City, Cagayan. 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 28-37 years old, males, half are single and half are married, Roman Catholic, reached / finished elementary level, not employed, committed crimes against special laws and were arraigned, attended 1-5 times court hearings, been in jail for 3 years 1 day and more and most claimed that they were alleged suspects of the crimes charged against them. It can be concluded that majority of the respondents' profile are similar and differ on the circumstances that led to the commission of the crimes despite the fact that PDLs came from all walks of life except on religion as observed on the data gathered.

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

INTRODUCTION

Provincial jails in the Philippines, numbering one hundred four (104) in all, including sub-provincial extensions, are under the supervision and control of the provincial governments. Persons Deprived of Liberties (PDLs) who are being catered by the jail are most those whose cases are on trial, awaiting final judgment or some are to be transported to the national penitentiary. In the same manner as the Bureau of Jail Management and Penology



under the Department of the Interior and Local Government, PDLs who will stay in jails are those with penalties of not more than three years.

With the vision of the jail as “a dynamic, professional and highly motivated pool of custodial officers working in partnership with community for a safe, peaceful and free environment to live in”. It is supported with its mission that “the Office of the Provincial Warden shall take custody of all detainees, prevent and control their escapes, maintain peace and order and preserve the internal security of the institution in support to the community”. It offers various programs for the PDLs as part of their preparation whenever they will be released for their re-entry into the community.

In Cagayan, the new erected jail located in Carig, Tuguegarao City was established in 2014 with a total of seventy two (72) PDLs and the sub-provincial jail located in Sanchez Mira, Cagayan with a total of fifty nine (59) PDLs. Both jails have a total of sixty two (62) personnel which includes permanent and under Contract of Service / Job Orders.

During the data gathering procedure, based on the interview conducted, the oldest PDL who was committed in jail is a seventy five (75) male PDL who was charged of statutory rape while the youngest aged nineteen was charged of carnapping. It was also during this time when they had their Bible sharing time participated by select or interested PDLs.,

International law stipulates that detaining authorities must ensure that any detainees under their jurisdiction are treated humanely, i.e. with the respect due to their inherent dignity and value as human beings. This obligation could be seen simply to entail the preservation of life and health, but in fact humane treatment requires much more than that. The ICRC’s role is to ensure that detainees’ dignity and physical integrity are respected, that they are treated in accordance with international humanitarian law and other applicable laws and standards and, whenever necessary, to help detaining authorities fulfil their obligations.

The IACHR reaffirms that international human rights law demands that the State guarantee the rights of the persons under their custody. Accordingly, one of the most important predicates of the international responsibility of States in relation to human rights is to care for the life and physical and psychological integrity of persons deprived of liberty. In addition, all the constitutions contain provisions that directly or indirectly apply to essential aspects of the deprivation of liberty. The absolute majority of constitutions contain general provisions aimed at protecting the rights to life and humane treatment of their inhabitants, and some of them make specific reference to the respect for this right of persons who are confined or in custody. In addition, several of these constitutions expressly establish that penalties entailing deprivation of liberty, or the prison systems, shall be geared to or have as their aim the re-education and/or social reinsertion of convicts.



STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Cagayan Provincial Jail, Tuguegarao City, Cagayan. 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 Cagayan Provincial Jail, Tuguegarao City, Cagayan 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	1	1.38
18-27 years old	18	25
28-37 years old	26	36.11
38-47 years old	10	13.88
48-57 years old	12	16.66
58 or more	5	6.94
Total	72	100

The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. As presented, a frequency of 26 or 36.11 percent belongs to the age bracket of 28-37. The lowest frequency of 1 or 1.38 percent belongs to the bracket of below 18 years of age. The data imply that respondents are relatively young when they got involved in crimes and a minor who is committed in a regular jail to due to lack of a facility intended for minor offenders.

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

Sex	Frequency	Percentage
Male	70	97.22
Female	2	2.77
Total	72	100

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. As shown in the table, majority or 70 with 97.22 percent male and 2 or 2.77 percent female PDLs which imply that males are more prone to the commission of crimes compared to female.

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

Civil Status	Frequency	Percentage
Single	36	50
Married	36	50
Total	72	100

As presented in Table 3, frequencies of 36 or 50 percent are single and married respectively. The data imply that married individuals or not are prone 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	64	88.88
Iglesia Ni Cristo	1	1.38
Born Again	4	5.55
Others	3	4.16
Total	72	100



As presented in Table 4, majority of the respondents are Roman Catholics with a frequency of 64 or 88.88 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	27	37.5
HS Level / graduate	22	30.55
College Level / graduate	11	15.27
Post Studies Level / graduate	12	16.66
Total	72	100

Table 5 shows the frequency and percentage distribution of the respondents' profile as to highest educational attainment. A frequency of 27 or 37.5 percent reached /finished elementary level followed by high school level or graduate with a frequency of 22 or 30.55 percent. The data imply that most of the respondents have undergone formal basic education.

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

Occupation before Detention	Frequency	Percentage
Farmer	25	34.72
Government Employee	1	1.38
Self-Employed	20	27.77
Others (not employed)	26	36.11
Total	72	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	20	27.77
Crimes against property	3	4.16
Crimes against Special Laws	43	59.72
Others (carnapping)	6	8.33
Total	72	100

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, 43 or 59.72 percent of the respondents committed crimes against special laws. The data imply that majority of the respondents got involved on crimes against special laws specifically 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	68	94.44
Not Yet	4	5.55
Total	72	100

Majority of the respondents with a frequency of 68 or 94.44 percent have been arraigned on the cases filed against them is presented in Table 8 which implies that most of the PDLs have been informed of the cause of accusation against them 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	20	27.77
1-5	36	50
6-10	6	8.33
11-15	2	2.77
16-20	2	2.77
21 or more	6	8.33
Total	72	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 36 or 50 percent attended court hearings falling within the bracket of 1 to 5 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	6	8.33
1-6 months	15	20.83
6 months 1 day-12 months	13	18.05
1 year 1 day to 2 years	5	6.94
2 years 1 day to 3 years	10	13.88
3 years 1 day and more	23	31.94
Total	72	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 23 or 31.94 percent of the respondents stayed in jail falling within the bracket of 3 years 1 day and more. The data imply that most of the respondents have been in jail for a long 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	34	47.22
Jealousy	-	-
Poverty	1	1.38
Self-Motivated Interest	16	22.22
Self-defense	18	25
Others	3	4.16
Total	72	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 34 or 47.22 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	-.135	Reject
Sex	.076	Reject
Civil Status	-.245	Reject
Religion	.295	Accept
Highest Educational Attainment	.029	Reject
Occupation before Detention	-.195	Reject

± .232 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Cagayan Provincial Jail is presented in Table 12. As shown on the result, the r' value of .295 is higher than the critical value of .232. This means that there is a significant relationship between the crimes committed and the religion of the PDLs. This implies that the null hypothesis is accepted whereas all other profile variables have nothing to do with the commission which implies that the null hypothesis is rejected.

CONCLUSION

On findings of the study, it can be concluded that majority of the respondents' profile are similar and differ on the circumstances that led to the commission of the crimes despite the fact that PDLs came from all walks of life except on religion as observed on the data gathered.



RECOMMENDATIONS

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

1. Jail programs are to be strengthened in preparation for PDLs re-entry into the community.
2. Provision of more job opportunities to avoid the possibility of committing crimes.
3. Expedite the disposition of cases in order to solve jail congestion.

BIBLIOGRAPHY

Republic Act No. 6975 December 13, 1990 – the DILG Act of 1990.

1987 Constitution

The BJMP Manual

International Committee of the Red Cross 19, avenue de la Paix 1202 Geneva, Switzerland

IACHR, *Democracy and Human Rights in Venezuela*, OEA/Ser.L/V/II. Doc. 54, adopted on December 30, 2009, (hereinafter “*Democracy and Human Rights in Venezuela*”), Ch. VI, para. 814.

IACHR, Report No. 60/99, Case of 11,516, Merits, Ovelário Tames, Brazil, April 13, 1999, para. 39.

Constitution of the Plurinational State of Bolivia, Art. 74; Constitution of the Republic of Ecuador,