



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

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ABSTRACT: *In the Philippines, there are more or less one hundred four (104) provincial jails scattered in the different provinces on the country including sub-provincial extensions which 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. In Isabela, the new erected jail is located in the heart of Ilagan City, Isabela. It was established in 2002 in a seven (7) hectare lot with a total of two hundred sixty two (262). The jail has total of sixty four (64) personnel which includes permanent and under Contract of Service / Job Orders. There are three shifts of guards (one day duty, two days off). The jail has established conjugal rooms with a total number of sixteen. The number of rooms can accommodate bigger number of married couples to spend quality time with their loved ones. During the data gathering procedure, based on the interview conducted, the oldest PDL who was committed in jail is a sixty eight (68) male PDL, with nine (9) children in conflict with the law (CICL) confined in a separate room. In the same manner, the female offenders were also provided with a separate room; however, they have common receiving area. The jail installed CCTV cameras to monitor almost all corners of the jail; the monitor is being accessed at the Office of the Provincial Warden. This study was limited on the characterization of PDLs committed at the Isabela Provincial Jail, in Ilagan City, Isabela. The researcher made used 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, married, reached / finished elementary level, not employed, committed crimes against special laws and were arraigned, attended 6-10 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. On findings of the study, it can be concluded that majority of the respondents' profile are similar despite the fact that PDLs came from all walks of life except on age and highest educational attainment 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

In the Philippines, there are more or less one hundred four (104) provincial jails scattered in the different provinces on the country including sub-provincial extensions which 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 provincial jail as “to have dynamic and responsive institution which upholds professional jail services to promote public safety. It is supported with its mission “to ensure public safety by providing quality jail management services through efficient and humane safekeeping and rehabilitation of inmates”.

In Isabela, the new erected jail is located in the heart of Ilagan City, Isabela. It was established in 2002 in a seven (7) hectare lot with a total of two hundred sixty two (262). The jail has total of sixty four (64) personnel which includes permanent and under Contract of Service / Job Orders. There are three shifts of guards (one day duty, two days off). The jail has established conjugal rooms with a total number of sixteen. The number of rooms can accommodate bigger number of married couples to spend quality time with their loved ones.

During the data gathering procedure, based on the interview conducted, the oldest PDL who was committed in jail is a sixty eight (68) male PDL, with nine (9) children in conflict with the law (CICL) confined in a separate room. In the same manner, the female offenders were also provided with a separate room; however, they have common receiving area. The jail installed CCTV cameras to monitor almost all corners of the jail, the monitor is being accessed at the Office of the Provincial Warden.



Article 7 of the International Covenant on Civil and Political Rights provides that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”, and, in particular, that “no one shall be subjected without his free consent to medical or scientific experimentation”. In its General Comment No. 20, the Human Rights Committee explained that the aim of this article “is to protect both the dignity and the physical and mental integrity of the individual”. It emphasized, furthermore, that “it is the duty of the State party to afford everyone protection through legislative and other measures as may be necessary against the acts prohibited by article 7, whether inflicted by people acting in their official capacity, outside their official capacity or in a private capacity”.

International law establishes two basic remedies that must be available for the protection of the fundamental rights of persons deprived of liberty: on the one hand, the habeas corpus, established in Article 7.6 of the American Convention, which constitutes the fundamental guarantee safeguarding everyone’s right not to be subjected to unlawful or arbitrary detention, and which must also provide an opportunity for the judicial authority to ascertain the physical integrity of the detainee; and, on the other, a prompt, suitable and effective legal remedy that guarantees those rights that may be violated by the very conditions of detention or imprisonment. The existence of the later remedy is grounded in Article 25.1 of the American Convention, which establishes “Everyone has the right to simple and prompt recourse, or any other effective recourse, to a competent court or tribunal for protection against acts that violate his fundamental rights recognized by the constitution or laws of the state concerned or by this Convention, even though such violation may have been committed by persons acting in the course of their official duties”.

With respect to persons deprived of liberty, the State is in a special position of guarantor, under which its duty to ensure this right is all the greater. Indeed, as guarantor of the right to life of detainees, the State has the duty to prevent those situations that might lead, by action or omission, to the suppression of this right. In this regard, if a person was detained in good health conditions and subsequently died, the State has the obligation to provide a



satisfactory and convincing explanation of what happened and to disprove accusations regarding its responsibility, through valid evidence, bearing in mind that the responsibility of the State must be presumed regarding what happens to those who are under its custody. Accordingly, the obligation on the authorities to account for the treatment of an individual in custody is particularly stringent where that individual dies.

STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Isabela Provincial Jail, Ilagan City, Isabela. 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 Isabela Provincial Jail, Ilagan City, Isabela 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	9	3.43
18-27 years old	54	20.61
28-37 years old	123	46.94
38-47 years old	47	17.93
48-57 years old	18	6.87
58 or more	11	4.19
Total	262	100



The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. As presented, a frequency of 123 or 46.94 percent belongs to the age bracket of 28-37. The lowest frequency of 9 or 3.43 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 minors are committed in a regular jail to due to lack of a facility intended for minor offenders however, the jail has provided a separate room for minors..

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

Sex	Frequency	Percentage
Male	252	96.18
Female	10	3.81
Total	262	100

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. As shown in the table, majority or 252 with 96.18 percent male and 10 or 3.81 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	123	46.94
Married	139	53.05
Total	262	100

As presented in Table 3, frequencies of 139 or 53.05 percent is married. The data imply that married individuals are still getting involved in the commission of crimes despite their marital status and obligations



Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	147	56.10
HS Level / graduate	87	33.20
College Level / graduate	24	9.16
Post Studies Level / graduate	4	1.52
Total	262	100

Table 4 shows the frequency and percentage distribution of the respondents' profile as to highest educational attainment. A frequency of 147 or 56.10 percent reached /finished elementary level followed by high school level or graduate with a frequency of 87 or 33.20 percent. The data imply that most of the respondents have undergone formal basic education..

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention.

Occupation before Detention	Frequency	Percentage
Farmer	32	12.21
Government Employee	2	.76
Self-Employed	34	12.97
Others (not employed)	194	74.04
Total	262	100

The frequency and percentage distribution of the respondents' profile as to occupation before detention is presented in Table 5. 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 6. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	57	21.75
Crimes against property	17	6.48
Crimes against Special Laws	176	67.17
Others (carnapping, estafa, acts of lasciviousness)	12	4.58
Total	262	100



Table 6 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, 176 or 67.17 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 7. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	262	100
Not Yet	-	-
Total	262	100

All of the respondents 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 as shown in Table 7..

Table 8. 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	-	-
1-5	98	37.40
6-10	108	41.22
11-15	34	12.97
16-20	14	5.34
21 or more	8	3.05
Total	262	100

Table 8 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 108 or 41.22 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 in order for them to be heard before final judgment will be given by the court.



Table 9. 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	2.29
1-6 months	10	3.81
6 months 1 day-12 months	32	12.21
1 year 1 day to 2 years	45	17.17
2 years 1 day to 3 years	73	27.86
3 years 1 day and more	96	36.64
Total	262	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 9. The highest frequency of 96 or 36.64 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 trial or hearing for the crimes charged against them.

Table 10. 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	2	2.29
Alleged Suspect	147	56.10
Poverty	8	3.05
Self-Motivated Interest	32	12.21
Self-defense	67	25.57
Others	6	2.29
Total	262	100

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 10. A frequency of 147 or 56.10 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 11. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	.231	Accept
Sex	-.036	Reject
Civil Status	.071	Reject
Highest Educational Attainment	.132	Accept
Occupation before Detention	-.033	Reject

± .121 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 11. As shown on the result, the r' value of .231 for age and the r' value of .132 for highest educational attainment are higher than the critical value of .121. This means that there is a significant relationship between the crimes committed and the select profile variables of the PDLs. The data imply that the null hypothesis is accepted for the two profile (age and highest educational attainment) 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 despite the fact that PDLs came from all walks of life except on age and highest educational attainment as observed on the data gathered.

RECOMMENDATIONS

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

1. Sustainability of the best practices of the jail.



2. Provision of more job opportunities to give second chances for PDLs during their reintegration.
3. Expedite the disposition of cases in order to solve jail congestion.

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International Covenant on Civil and Political Rights (Article 9.4); and the European Convention on Human Rights (Article 5.4).