



## CHARACTERIZATION OF PERSONS DEPRIVED OF LIBERTY (PDLs) AT APARRI DISTRICT JAIL, APARRI, CAGAYAN

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

**ABSTRACT:** *The Bureau of Jail Management and Penology (BJMP) as a line bureau of the Department of the Interior and Local Government (DILG) as provided under Republic Act 6975 of 1990 mandated to safeguard and rehabilitate all persons deprived of their liberty for whatever reason for their detention. These PDLs have been taken out of their normal environment and are no longer allowed to manage their own lives. There are factors needed to be given attention such as their individual characteristics (sex, age, etc.), the general situation in which they are detained, the reason for their detention, and the stage they are at in any judicial or administrative process and by whom they are being held. A total of one hundred seven (107) PDLs were used as respondents of the study representing 100 percent of its total population. 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. Results of the study, majority belong to the age bracket of 18-27 years of age, males, and are married, they belong to the Roman Catholic, most reached and finished high school and during the commission of the crimes, many were self-employed. In terms of the crimes committed by the PDLs, most have crimes against special laws, majority of them were already arraigned, and mostly have attended 1-5 hearings, have stayed in jail for one year 1month - 6 months. In addition, most circumstance noted was "self-motivated interest". It can be concluded that PDLs came from all walks of life as seen in the profile of respondents. The highest educational attainment and occupation of the respondents have something to do in the commission of the crime.*

**KEYWORDS:** *offenders, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, Arraignment, District Jail, Characterization, Judgment, Special Laws..*

### INTRODUCTION

The Bureau of Jail Management and Penology (BJMP) as a line bureau of the Department of the Interior and Local Government (DILG) as provided under Republic Act 6975 of 1990 mandated to safeguard and rehabilitate all persons deprived of their liberty for whatever reason for their detention. These PDLs have been taken out of their normal environment and are no longer allowed to manage their own lives. There are factors needed to be given attention such as their individual characteristics (sex, age, etc.), the general situation in



which they are detained, the reason for their detention, and the stage they are at in any judicial or administrative process and by whom they are being held.

The IACHR noted in its report on the situation of human rights in Mexico that most cases of torture and cruel, inhuman and degrading treatment take place in the context of the administration of justice, mainly during the stage of the preliminary investigation of crimes as a method to obtain confessions from alleged defendants or to intimidate them, with the culprits of these acts usually being both state and federal judicial police, the Office of the Public Prosecutor, and members of the armed forces. This general pattern in Mexico has also been observed in a significant number of hearings, petitions and cases examined by the Inter-American human rights system and have been the subject of consistent pronouncements of UN human rights protection mechanisms.

During the working visit to Ecuador of the Rapporteur on the Rights of Persons Deprived of Liberty, some non-governmental organizations noted that the practice of torture for purposes of criminal investigation and mistreatment committed by police agents still persists. In this regard, the Federation of Women of Sucumbios claimed that cases of physical and psychological abuse have been reported at the Provisional Detention Center of Lago Agrio (such as the practice of “submarining,” electric shocking on genitals and beatings of hooded detainees).

Additionally, the Ecumenical Human Rights Commission (CEDHU) stated that it is common to find in the dungeons (underground holding cells) of the Judicial Police and the Anti-drug Unit people who have been victims of torture investigation processes. According to reports, these people often are not provided medical care so that no evidence remains of the torture, and are only transferred to the prisons of the penitentiary system after the physical traces of torture have disappeared.

United Nations (2010), the existence of inherited institutional practices and a culture of violence firmly rooted in the security forces of the State. The institutionalized acceptance that abuse of detainees amounts to a valid procedure calls for a solid torture prevention



framework. This framework must be taken seriously, and not merely as a mechanical and superficial exercise to fulfil a requirement. Effective respect for human rights requires a system in which all members are trained on the principles relating to democracy and human rights. This message of respect during training must be backed by the determination and commitment to investigate complaints of torture and abuse, and to prosecute and punish those responsible. This type of act requires official condemnation by the authorities, who must send a consistent message that such behavior shall be repudiated by all means of administrative, disciplinary and criminal proceeding. Moreover, constant use of violence by prison staff is tantamount to institutional validation or approval of such use, and this has a direct bearing on the high incidence of inmate-to inmate violence.

The humane treatment of PDLs is made even more challenging in prisons that are neglected, overcrowded or in the grip of prison gangs. The shortcomings in facilities, procedures and processes often affect all PDLs to some degree, regardless of other factors. In addition, many authorities impose severe restrictions on PDLs, and are increasingly resorting to segregation and isolation.

The different jails as a place of confinement for PDLs under investigation for violation of law, or those awaiting or undergoing trial, or those awaiting final judgment, generally three years and below. Jails include provincial, and the district, city and municipal jails all are under the Department of the Interior and local Government (DILG). These jail facilities are scattered in every municipality, city and district of the seventeen administrative regions of the country. Hence, the conduct of this study.

## **STATEMENT OF THE PROBLEM**

This study focused on the characterization of Persons Deprived of Liberty (PDLs) at Aparri District Jail, Aparri, 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 Aparri District Jail, Aparri, Cagayan to determine relationship among 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 and percentages.



## 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	35	32.71
28-37 years old	25	23.36
38-47 years old	30	28.03
48-57 years old	17	15.88
58 or more	-	-
<b>Total</b>	<b>107</b>	<b>100</b>

Table 1 shows the frequency and percentage distribution of the respondents' profile as to sex. As shown in the table, majority are in the age bracket of 18-27 followed by age bracket of 38-47 which imply that PDLs are relatively young to commit crime.

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

Sex	Frequency	Percentage
Male	107	100
Female	-	-
<b>Total</b>	<b>107</b>	<b>100</b>

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. The jail has 107 or 100 percent male PDLs which imply that males are more vulnerable to the commission of crime compared to female.

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

Civil Status	Frequency	Percentage
Single	48	44.85
Married	49	45.79
Separated	8	7.47
Widow/er	2	1.86
<b>Total</b>	<b>107</b>	<b>100</b>



As gleaned in Table 3, the data show that Aparri District jail has 49 or 45.79 percent married, 48 or 44.85 percent single PDLs, and 8 or 7.47 are separated and 2 or 1.86 are widower. In total, married people are more vulnerable in committing crimes compared to unmarried individuals.

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

Religion	Frequency	Percentage
Roman Catholic	97	90.65
Iglesia Ni Cristo	4	3.73
United Methodist Church	1	.93
Born Again	2	1.86
Others ()	3	2.80
<b>Total</b>	<b>107</b>	<b>100</b>

Table 4 presents the frequency and percentage distribution of the respondents' profile as to religion. Majority of the respondents are Roman Catholics with a frequency of 97 or 90.65 percent. The data imply that Roman Catholic is the most dominated religion in the area.

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

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	30	28.03
HS Level / graduate	66	61.68
College Level / graduate	7	6.54
Post Studies Level / graduate	4	3.73
<b>Total</b>	<b>107</b>	<b>100</b>

Table 5 presents the frequency and percentage distribution of the respondents' profile as to highest educational attainment. As presented, majority of the respondent at Aparri Jail District reached or finished high school with a frequency of 66 or 61.68 percent and the lowest frequency of 4 or 3.73 percent has reached post graduate studies.



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

Occupation before Detention	Frequency	Percentage
Farmer	24	22.42
Government Employee	2	1.86
Self-Employed	75	70.09
OFW	1	.93
Others (studying)	5	4.67
<b>Total</b>	<b>107</b>	<b>100</b>

As gleaned from Table 6, the frequency and percentage distribution of the respondents' profile as to occupation before detention is presented. Majority of the PDLs at Aparri District Jail are self-employed with a frequency of 75 or 70.09 percent while a frequency of 1 or 4.67 percent is an OFW which imply that majority of the PDLs do not have permanent jobs before being detained in jail.

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

Crime committed	Frequency	Percentage
Crimes against persons	41	38.31
Crimes against property	8	7.47
Crimes against Special Laws	56	52.33
Others (kidnapping, carnapping, etc)	2	1.86
<b>Total</b>	<b>107</b>	<b>100</b>

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, Aparri District Jail has a frequency of 56 or 52.33 percent of the respondents committed crimes against special laws whereas the lowest frequency of 2 or 1.86 percent charged with kidnaping and carnapping. The data imply that respondents are more susceptible to violating special laws which require stricter penalties and higher fines or both.



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

Arraignment Status	Frequency	Percentage
Yes	106	99.06
Not Yet	1	.93
<b>Total</b>	<b>107</b>	<b>100</b>

The frequency and percentage distribution on the status of the case of the respondents as to arraignment is presented in Table 8. Majority or 99.06 percent of the respondents were already arraigned by the court on the cases filed against them. The data imply that the their cases are set eventually for court trials before pronouncement of judgment.

**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	17	15.88
1-5	43	40.18
6-10	29	27.10
11-15	5	4.67
16-20	1	.93
21 or more	12	11.21
<b>Total</b>	<b>107</b>	<b>100</b>

The frequency and percentage distribution on the status of the case of the respondents as to number of court hearings is presented in Table 9. As gleaned from the table, majority or a frequency of 43 or 40.18 percent of the respondents have attended court hearings within the bracket of 1 to 5 times during their stay in jail with the lowest frequency of 1 or .93 percent who has attended court hearings falling within the bracket of 16 to 20 times. The data imply that most of the PDLs have their days in court from the time they were arraigned which implies further that the wheel of justice is moving forward.





**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	5.60
1month - 6 months	62	57.94
6months 1 day-12 months	27	25.23
1 year 1 day to 2 years	9	8.41
2 years 1 day to 3 years	2	1.86
3 years 1 day and more	1	.93
<b>Total</b>	<b>107</b>	<b>100</b>

Table 10 presents the frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail. As shown on the table, 62 or 57.94 percent of the respondents have stayed in jail falling within the bracket of 1-6 months. The lowest frequency of 1 or .93 percent has stayed in jail for 3 years 1 day and more. The data imply that respondents have been in jail for a while waiting for the final judgment of the cases filed 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	3	2.80
Alleged Suspect	27	25.23
Jealousy	13	12.14
Poverty	4	3.73
Self-Motivated Interest	35	32.71
Self-defense	4	3.73
No reason	4	3.73
Others	17	15.88
<b>Total</b>	<b>107</b>	<b>100</b>

The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 11. Majority or 32.71 percent of the



respondents answered that “self-motivated interest” was the prime reason that led them in the commission of the crimes charged against them followed by being an “alleged suspect” with a frequency of 27 or 25.23 percent. The data imply that PDLs have varied reason or circumstances that led to the commission of crimes.

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

Profile	r' value	Decision
Age	.078	reject
Civil Status	.029	reject
Religion	.144	reject
Highest Educational Attainment	.194	accept
Occupation before Detention	.252	accept

± .190 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Aparri District Jail is presented in Table 12. As shown on the result, the r' value of .194 for “highest educational attainment” and r' value of .252 for “occupation before detention” are higher than the critical value of .190. It implies that there is a significant relationship between the crimes committed and the highest educational attainment and occupation before detention of the PDLs. This implies further that the null hypothesis is accepted for both highest educational attainment and occupation before detention profile whereas all other profile variables have nothing to do with the commission of the crime which implies that the null hypothesis is rejected. The data furthermore imply that less educated individuals are more prone to get involved in the commission of crimes.

## CONCLUSION

Based from the findings of the study, it can be concluded that PDLs came from all walks of life as seen in the profile of respondents. The highest educational attainment and occupation of the respondents have something to do in the commission of the crime.



## **RECOMMENDATIONS**

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

1. Information dissemination of the functions of the criminal justice system must be done in order to help individuals not to get involved in crimes.
2. Providing more job opportunities in order to minimize the possibility of committing crimes.
3. Decongest measures must be given more attention in the different jails.
4. Speedy trial must be done in order to free the innocent and incarcerate the guilty.
5. Improve delivery of services to transform PDLs to become better individuals during reintegration.

## **BIBLIOGRAPHY**

IACHR, Report on the Situation of Human Rights in Mexico, Ch. IV, paras. 305-306.

IACHR, Report on the Situation of Human Rights in Ecuador, Ch. V.

United Nations, CAT/OP/HND/1, Report on the visit of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to Honduras, February 10, 2010, paras. 81-83.

Republic Act No. 6975 December 13, 1990. An act establishing the Philippine National Police under a reorganized Department of the Interior and Local Government, and for other purposes.

The Bill of Rights of the 1987 Constitution

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders

<https://news.mb.com.ph/2018/10/28/bjmp-urges-public-to-support-cause-of-persons-deprived-of-liberty-by-buying-pdl-made-products/>