



CHARACTERIZATION OF PERSONS DEPRIVED OF LIBERTY (PDLs) AT ILAGAN CITY DISTRICT JAIL, ILAGAN CITY, ISABELA

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ABSTRACT: *The Ilagan District Jail is located in Ilagan City, Isabela that houses Persons Deprived of Liberty (PDLs). The jail is manned by a commissioned officer as district warden assisted by a deputy warden. The jail has a total of one hundred twenty two (122) PDLs. The jail caters to PDLs coming from the city and adjacent municipalities as ordered by the court in their commitment orders. These PDLs are awaiting trials for the cases filed against them and eventually will be transferred to any of the national penitentiaries after final judgment by the court if the sentence given is three years one day and more. Others are left in the same jail wherein the sentence is lower. This study was limited on the characterization of PDLs committed at the Ilagan City District Jail, in Cabagan, Isabela. The researchers 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, males, single, Iglesia ni Cristo, reached / finished elementary, self- employed, committed crimes against person and were arraigned, attended 1-5 times court hearings, been in jail for almost 6 months 1 day-12 months and most claimed that they were alleged suspects of the crimes charged against them. It can be concluded that the highest educational attainment and occupation of the respondents have something to do in the commission of the crime. All other profile variables have no significant relationship to the commission of the crimes.*

KEYWORDS: *Arraignment, Commitment Order, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, District Jail, Characterization, Offenders Judgment.*

INTRODUCTION

The Ilagan District Jail is located in Ilagan City, Isabela that houses Persons Deprived of Liberty (PDLs). The jail is manned by a commissioned officer as district warden assisted by a deputy warden. The jail has a total of one hundred twenty two (122) PDLs. The jail caters to PDLs coming from the city and adjacent municipalities as ordered by the court in their



commitment orders. These PDLs are awaiting trials for the cases filed against them and eventually will be transferred to any of the national penitentiaries after final judgment by the court if the sentence given is three years one day and more. Others are left in the same jail wherein the sentence is lower.

IACHR- 2002, the right of persons deprived of liberty to humane treatment while under the custody of the state is a universally accepted norm in international law. In the Inter-American Human Rights System, this principle is enshrined primarily in Article XXV of the American Declaration, which provides: “every individual who has been deprived of his liberty has the right to humane treatment during the time he is in custody.” In addition, the humane treatment to be accorded to persons deprived of liberty is an essential element of Article 5(1) and (2) of the American Convention, which protects the right to humane treatment of all persons subject to the jurisdiction of a State party.

In addition, as already mentioned, the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas are grounded in the fundamental idea that “All persons subject to the jurisdiction of any member State of the Organization of American States shall be treated humanely, with unconditional respect for their inherent dignity, fundamental rights and guarantees, and strictly in accordance with international human rights instruments”.

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) 2009, the State must take all necessary steps to ensure that all the detention centers in its territory –and not just those located in urban centers– are endowed with professional and well-trained staff.

United Nations, Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Third Report to the Commission on Human Rights, 2004, in addition to ensuring the proper training of the correctional staff, the public administration should also endorse the belief, in the minds of its members and in the community as a



whole, that the work at the correctional institutions is an important service to the community.

Standard Minimum Rules for the Treatment of Prisoners (Rule 46.2) Generally speaking, penitentiaries are hostile, difficult, poorly funded environments, in which the work of prison officers can be, not just routine, but also highly stressful and exhausting. Such is why everything possible must be done to keep penitentiary staff motivated and conscious of the importance of the work they do.

The IACHR (2008) recognizes that the creation of new prison capacity –either through the construction of new facilities or the modernization and expansion of existing ones— is an essential measure to combat overcrowding and adjust prison systems to present needs; however, this measure alone does not represent a sustainable solution over time. Measures of immediate effect such as presidential pardons or collective release of particular categories of prisoners, based on age, state of health, seriousness of the offense, among other factors, are not sustainable solutions to this problem either; even though in some cases these measures may be necessary and pertinent.

Effective attention to overcrowding also calls for States to adopt policies and strategies that include, among other things: (a) the legislative and institutional reforms required to ensure a more rational use of preventive detention, and for this measure to only be used as a last resort and an exception to the rule; (b) enforcement of the maximum time periods established by law for detainees to remain in preventive detention; (c) promotion of the use of alternative measures or substitutes for preventive detention and the deprivation of liberty as a sentence; (d) the use of other methods to serve sentences such as probation, supervised release and work or school release; (e) modernization of administration of justice systems to streamline criminal proceedings; and (f) prevention of illegal or arbitrary detention by law enforcement agents.



STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Ilagan District Jail, Ilagan, 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 Ilagan District Jail, Ilagan, 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 researchers 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 researchers 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	3	2.45
18-27 years old	32	26.22
28-37 years old	36	29.50
38-47 years old	30	24.59
48-57 years old	15	12.29
58 or more	6	4.91
Total	122	100

The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. A frequency of 36 or 29.50 percent belongs to the age brackets of 28-37. The lowest frequency of 6 or 4.91 percent belongs to the bracket of 58 years of age or more. The data imply that respondents are relatively young when they got involved in the commission of crimes.

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

Sex	Frequency	Percentage
Male	122	100
Female	-	-
Total	122	100

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. All the respondents are males which imply that male respondents are more prone to commit crimes compared to women.



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

Civil Status	Frequency	Percentage
Single	60	49.18
Married	55	45.08
Separated	2	1.63
Widow/er	5	4.09
Total	122	100

As presented in Table 3, a frequency of 60 or 49.18 percent of the respondents is single. The data imply that individuals who are single are more carefree in life compared to married respondents.

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

Religion	Frequency	Percentage
Roman Catholic	49	40.16
Iglesia Ni Cristo	68	55.73
United Methodist Church	-	-
Born Again	2	1.63
Others	3	2.45
Total	122	100

As presented in Table 4. 68 of the respondents or 55.73 percent are members of the Iglesia ni Cristo. This implies that Iglesia ni Cristo is 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	53	43.44
HS Level / graduate	49	40.16
College Level / graduate	19	15.57
Post Studies Level / graduate	1	.81
Total	122	100

The frequency and percentage distribution of the respondents' profile as to highest educational attainment is presented in Table 5. A frequency of 53 or 43.44 percent reached



/finished elementary followed by high school level or graduate with a frequency of 49 or 40.16 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	33	27.04
Government Employee	16	13.11
Self-Employed	55	45.08
OFW	1	.81
Others (not employed)	17	13.93
Total	122	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 self-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	63	51.63
Crimes against property	4	3.27
Crimes against Special Laws	48	39.34
Others (kidnapping, estafa)	7	5.73
Total	122	100

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, 63 or 51.63 percent of the respondents committed crimes against persons like "murder, homicide, rape, physical injuries and the like" followed by a frequency of 48 or 39.34 percent on crimes against special. The data imply that majority of the respondents got involved on crimes against persons punishable by the Revised Penal Code and 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	99	81.14
Not Yet	23	18.85
Total	122	100

Majority of the respondents with a frequency of 99 or 81.14 percent have been arraigned on the cases filed against them is presented in Table 8 which implies that most of the PDLs 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	-	-
1-5	113	92.62
6-10	7	5.73
11-15	2	1.63
16-20	-	-
21 or more	-	-
Total	122	100

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, a frequency of 113 or 92.62 percent attended court hearings falling within the bracket of 1 to 5 times. The data imply that most of the PDLs have attended several court hearings for the cases filed against them and are 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	4.91
1-6 months	21	17.21
6 months 1 day-12 months	31	25.40
1 year 1 day to 2 years	14	11.47
2 years 1 day to 3 years	23	18.85
3 years 1 day and more	26	21.31
Total	122	100

Table 10 presents the frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail. The highest frequency of 31 or 25.40 percent of the respondents stayed in jail falling within the bracket of 6 months 1 day-12 months. The data imply that most of the respondents have been in jail for quite some time for the court trials on 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	2	1.63
Alleged Suspect	69	56.55
Jealousy	1	.81
Poverty	4	3.27
Self-Motivated Interest	13	10.65
Self-defense	13	10.65
No reason	5	4.09
Others (Grudge)	15	12.29
Total	122	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 69 or 56.55 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	-.071	Reject
Civil Status	.028	Reject
Religion	-.003	Reject
Highest Educational Attainment	.255	Accept
Occupation before Detention	.230	Reject

± .178 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Ilagan District Jail is presented in Table 12. As shown on the result, the r' value of .255 for "highest educational attainment" and r' value of .230 for "occupation before detention" are higher than the critical value of .178. 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 the highest educational attainment and occupation of the respondents have something to do in the commission of the crime. All other profile variables have no significant relationship to the commission of the crimes



RECOMMENDATIONS

In the light of the foregoing findings, the researchers have the following recommendations to offer:

1. Reintegration programs should be strengthened.
2. Measures to decongest the different jails must be undertaken.
3. Speedy trial must be done free the innocent and incarcerate the guilty.
4. Improve delivery of services to transform PDLs to become better individuals during reintegration.
5. Providing more job opportunities in order to minimize the possibility of committing crimes.

BIBLIOGRAPHY

<https://theguardian.com/local-news/2014/07/23/not-inmates-but-persons-deprived-of-liberty-bjnp/>

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-14-liberty-and-security-of-person.html>

Persons deprived of liberty act no. 23 of 2014, Published by the National Council for Law Reporting with the Authority of the Attorney-General

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

OAS Member States, OEA/Ser.K/XXXIV GAPECA/doc.8/08 rev. 2, adopted on December 16, 2008, available at: http://www.oas.org/dsp/English/cpo_documentos_carceles.asp.