



Bureau of Corrections

SECURITY AND SAFEKEEPING PROCEDURE

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BUC-NBP-PR-001

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REVISION HISTORY AND APPROVAL

Rev.	Date	Nature of Changes	Approved By
0		Original issue.	Supt. Roberto R. Rabo

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1. PURPOSE


Provision of a secured and safe environment for Person Deprived of Liberty is not only a single process but integral to all core processes; such as admission, reformation and release processes.

2. SCOPE

This procedure includes searching, receiving, issuance of provisions, accounting, security classification, visitation, discipline, movement and discharge from prison.


3. DEFINITION OF TERMS AND ACRONYMS

GSCU	• Gate Security and Control Unit
WSU	• Water System Unit
CB	• Classification Board
BOD	• Board of Discipline
IVSU	• Inmate Visitation Services Unit
IS	• Investigation Section
EG	• Escort Group
PDL	• Person Deprived of Liberty
BuCor Operating Manual	• Handbook for the guidance and observance of the custodial and other personnel of the Bureau of Corrections.
RDC	• Reception and Diagnostic Center – office tasked to receive, study and classify PDL and detainees committed to the Bureau.
Prison	• Refers to the penal establishment under the control of the Bureau of Corrections, namely: New Bilibid Prison, Correctional Institution for Women, Leyte Regional Prison, Davao, San Ramon, Sablayan; and Iwahig Prison and Penal Farm.
Prison Record/ Carpeta	• Refers to the information concerning a PDL's personal circumstances, the offense committed, the sentence imposed, the criminal case number in the trial and appellate courts, the date commencing the service of sentence, the date received for confinement, the date of expiration of sentence, the number of previous convictions, if any, and behavior or conduct while in prison.

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4. RESPONSIBLE OFFICER

Gate Security & Control Personnel	<ul style="list-style-type: none"> In charge of security at the gate area. Control and record the ingress and egress of things, personnel, visitors, PDL, vehicles.
Receiving Officer	<ul style="list-style-type: none"> In – charge of receiving PDL upon orders of competent authority.
Supply Officer Kitchen Personnel	<ul style="list-style-type: none"> In – charge of orderly distribution of PDLs' provisions.
Water System Personnel	<ul style="list-style-type: none"> In – charge of orderly distribution of potable water supply for PDL.
Catering Service Security Personnel	<ul style="list-style-type: none"> In – charge of securing the delivery, preparation and distribution of PDL meals, and maintenance of peace and order in the workplace.
Shifting Unit Personnel	<ul style="list-style-type: none"> In – charge of securing prison facility and accounting of PDL.
Overseer Office Personnel	<ul style="list-style-type: none"> Maintains prison record jacket containing visitors list and case management record. Conducts physical head counting and monitors the whereabouts of PDL.
IVSU Personnel	<ul style="list-style-type: none"> Facilitates access of visitors that includes screening, recording and searching
Investigator	<ul style="list-style-type: none"> Conducts inquiries/investigation
Escort Personnel	<ul style="list-style-type: none"> Ensures the security and safety of PDL during movement
Separation Center Personnel	<ul style="list-style-type: none"> Facilitates the release of PDL

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5. DETAILS

Activity	Person Responsible	Details/Functions	References
<p>START</p> <p>↓</p> <p>ADMISSION</p> <p>↓</p> <p>CUSTODY</p> <p>↓</p> <p>RELEASE</p> <p>↓</p> <p>END</p>	<ul style="list-style-type: none"> • Gate Security & Control Officer • Receiving Personnel 	<ul style="list-style-type: none"> • Searching • Receiving 	<ul style="list-style-type: none"> • Part 2, Chapter 2, Sec 7-8 BuCor Operating Manual • Part 2, Chapter 2, Sec 1-6 BuCor Operating Manual
	<ul style="list-style-type: none"> • Supply Officer • Water System Personnel • Catering Services Personnel • Shifting Unit Personnel • Overseer Office Personnel • Classification Board • IVSU Personnel • Investigation Personnel • Board of Discipline • Escort Group Personnel 	<ul style="list-style-type: none"> • Issuance of Provisions • PDL Accounting • Security Classification • Visitation • Discipline • Movement 	<ul style="list-style-type: none"> • Part 2 Chapter 1, Sec 9 BuCor Operating Manual • Book 2 Part 3 Sec 5-6 BuCor Operating Manual • Part 2 Chapter 3 Section 1-3 BuCor Operating Manual • Part 3 Chapter 9 Section 1-9 BuCor Operating Manual • Part 4 Chapter 1 Section 1-4 BuCor Operating Manual • Chapter 2 Section 1-10 BuCor Operating Manual • Part 2 Chapter 5 Section 1-6 • Chapter 6 Section 1-9 BuCor Operating Manual • Book 2 Part V Section 1-14 BuCor Operating Manual
	<ul style="list-style-type: none"> • Separation Center Personnel 	<ul style="list-style-type: none"> • Discharge 	<ul style="list-style-type: none"> • Part 6 Section 1-13 BuCor Operating Manual

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6. GUIDELINES

6.1. Searching (Part 2, Chapter 2, Sec 7-8 BuCor Operating Manual)

6.1.1. Search of PDL and Personal effect:

- 6.1.1.1. Upon admission, the PDL shall be searched thoroughly. He shall be allowed to retain in his possession only such articles as authorized by the prison administration;
- 6.1.1.2. A list of all articles taken from the PDL shall be entered in the PDL record and receipted for by the guard in charge thereof;
- 6.1.1.3. All articles taken from the PDL shall be returned to him upon his discharge unless previously disposed of at the PDL's request or ordered condemned by the Superintendent after a lapse of two (2) years.


6.1.2. Confiscation of Contraband

- 6.1.2.1. Narcotics and all other prohibited drugs or substances;
- 6.1.2.2. All types of weapons, substances or chemicals that may cause injury to persons;
- 6.1.2.3. Other items or articles which a PDL is not allowed to possess under prison rules shall be considered as contraband and shall be confiscated accordingly.

6.2. Receiving (Part 2, Chapter 2, Sec 1-6 BuCor Operating Manual)

6.2.1. Admission

- 6.2.1.1. A PDL shall be received at the Assessment Rehabilitation Program Development and Monitoring Division (ARPDMD) for New Bilibid Prison and in the Reception and Diagnostic Center (RDC) for other operating prison and penal farms upon presentation of the following documents:
 - a. Mittimus/Commitment Order of the court;
 - b. Information and Court decision in the case;
 - c. Certificate of Detention, if any; and
 - d. Certificate that the case is not on appeal.
- 6.2.1.2. A female PDL shall only be received at CIW.

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6.2.2. Form of mittimus/commitment order

- 6.2.2.1.** It shall be under the signature of the judge;
- 6.2.2.2.** It shall bear the seal of the court; and
- 6.2.2.3.** It shall be duly attested by the Clerk of Court.

6.2.3. Registration Sheet

- 6.2.3.1.** A prison shall keep a bound registration sheet wherein all commitments shall be recorded chronologically. The register shall contain the following entries:
 - a.** Name of PDL;
 - b.** Reason for commitment and the authority thereof;
 - c.** Sentence;
 - d.** Date and hour of admission; and
 - e.** Date and hour of discharge or transfer and basis thereof.

6.2.4. Admission process

- 6.2.4.1.** After registration, the PDL shall be:
 - a.** Photographed, front and side view;
 - b.** Fingerprinted;
 - c.** Assigned a permanent prison number; and
 - d.** The male PDL shall then be given a regulation haircut and his beard/mustache, if any, shall be shaven off.

6.2.5. Hairpieces


- 6.2.5.1.** A PDL may not wear a wig or artificial hairpiece, unless medical authorization to do so is approved by the Superintendent.

6.2.6. Place of Admission

- 6.2.6.1.** A PDL shall be placed in an area that is physically separated from the general prison population.

6.3. Issuance of Provisions (Part 2 Chapter 1, Sec 9 BuCor Operating Manual)

- 6.3.1.** The newly-admitted PDL shall be issued two (2) regulation uniform t-shirts. Whenever practicable, he shall also be issued the following items:

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- a. One (1) blanket;
- b. One (1) mat;
- c. One (1) pillow with pillow case;
- d. One (1) mosquito net;
- e. One (1) set, mess kit; and
- f. One (1) pair, slippers.

6.4. PDL Accounting (Book 2 Part 3 Sec 5-6 BuCor Operating Manual)

6.4.1. PDL Headcount

6.4.1.1. A headcount of PDL shall be conducted four (4) times a day or as often as necessary to ensure that all PDL are duly accounted for.

6.4.2. Procedure of PDL count

6.4.2.1. The procedure for conducting a periodic physical head count of PDL shall be as follows:


- a. During the count, the PDL shall not be allowed to move until the count is completed;
- b. There must be a positive verification of the PDL's presence. Counting a PDL as present on the basis of seeing only any part of his clothing, his hair, or shoes shall not be made;
- c. A written report on the result of each headcount shall be submitted to the Chief, Overseer; and
- d. If the PDL count does not tally with the list of PDL, the matter shall be immediately reported to the Chief, Overseer.

6.5. Security Classification (Part 2 Chapter 3 Section 1-3 BuCor Operating Manual)

6.5.1. Classification Board

6.5.1.1. Every prison shall have a Classification Board that shall classify PDL in accordance with this Chapter. The Board shall be composed of the following:

- a. **Chairman** – Superintendent
- b. **Vice-chairman** – Chief, Reception and Diagnostic Center

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- c. Members**
 - Medical Officer
 - Chief, Education Section
 - Chief, Agro-Industries Section
- d. Secretary**
 - Chief, Overseer

6.5.1.2. A PDL is classified as to security status and as to entitlement to prison privileges.


6.5.1.3. Classification of PDL as to security risk – A PDL shall be assigned to any of the following groups:

a. Maximum Security – this shall include highly dangerous or high security risk PDL, as determined by the Classification Board, and shall require a high degree of control and supervision. Under this category are:


- i.** Those sentenced to death;
- ii.** Those whose minimum sentence is twenty (20) years imprisonment;
- iii.** Remand PDL or detainees whose sentence is twenty (20) years and above and those whose sentence are under review by the Supreme Court or the Court of Appeals;
- iv.** Those with pending case;
- v.** Recidivist, habitual delinquents and escapee;
- vi.** Those confined at the ARPDMD/RDC;
- vii.** Those under disciplinary punishment or safekeeping; and
- viii.** Those who are criminally insane or those with severe personality or emotional disorders that make them dangerous to fellow PDL or the prison staff.

b. Medium Security – this shall include those who cannot be trusted in less-secured areas and those whose conduct or behaving require minimum supervision. Under this category are:

- i.** Those whose minimum sentence is less than twenty (20) years imprisonment;

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- ii. Remanded PDL or detainees whose sentence are below twenty (20) years;
 - iii. Those who are eighteen (18) years of age and below, regardless of the case and sentence;
 - iv. Those who have two (2) or more records of escapes. They can be classified as medium security PDL if they have served eight (8) years since they were recommitted. Those with one (1) record of escape if they have serve five (5) years; and
 - v. First offenders sentenced to life imprisonment. They may be classified as medium security PDL if they have served five (5) years in a maximum security prison or less, upon recommendation of the Superintendent. Those who were detained in a city and/or provincial jail shall not be entitled to the said classification.
- c. **Minimum Security** – this shall include those who can be reasonably trusted to serve their sentence under less restricted conditions. Under this category are:
 - i. Those with severe physical handicap as certified by the Chief Medical Officer of the prison;
 - ii. Those are sixty-five (65) years old and above, without pending case and whose convictions are not on appeal;
 - iii. Those who have served one-half (1/2) of their minimum sentence or one-third (1/3) of their maximum sentence, excluding Good Conduct Time Allowance (GCTA); and
 - iv. Those who have only six (6) months more to serve before the expiration of their maximum sentence.

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6.6. Visitation (Part 3 Chapter 9 Section 1-9 BuCor Operating Manual)

6.6.1. Visiting rights – The PDL shall have the right to be visited by his family and reputable friends at regular intervals.

6.6.2. Visitor List – the Superintendent shall compile and maintain a list of persons named by the PDL in the interview who may visit the latter. The list may include the members of the PDL's immediate family such as his parents, step parents, foster parents, brothers and sisters, wife or husband and children. Upon the request of the PDL, the list may also include his grandparents, aunts, uncles, in-laws and cousins. Other visitors may, after investigation, be included in the list if the PDL will benefit from such contact.


6.6.3. Visiting days and hours - PDL may be visited from Sunday to Thursday from 9:00 am to 3:00 pm. Visitors shall not be allowed to stay overnight in prison. There shall be no visits on Friday and Saturday.

6.6.4. Limitation on visiting rights - the Director may limit the length or frequency of prison visits as well as the number of visitors to avoid overcrowding. Exceptions may be granted after taking into account special circumstances, such as the distance of travel of the visitor and the frequency of the visit received by the PDL.

6.6.5. Visiting room – whenever practicable, a prison shall have a visiting room which shall be as comfortable and as pleasant as possible and equipped to meet the needs of visitors, including children.

6.6.6. Privacy of visits – Prison guards shall supervise the visiting area in an obtrusive manner. They shall not eavesdrop on conversation or otherwise interfere with the privacy of the PDL and his visitor.

6.6.7. Conjugal visits – A male PDL may enjoy conjugal visits from his spouse in prisons where there are facilities therefore under such conditions as may be prescribed by the Director.

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6.6.8. Visit of Legal Counsel – PDL may be visited by his legal counsel of record at reasonable hours of the day or night.

6.6.9. Violation of visiting rules – any circumvention or violation of visiting rules by the PDL or his visitor shall result in the suspension or deprivation of visiting privileges and initiation of disciplinary action against erring PDL.

6.7. Discipline (Part 4 Chapter 1 Section 1-4 BuCor Operating Manual)

6.7.1. Disciplinary controls, purpose – efforts shall be made to instil in the minds of all PDL the concept that self-discipline is an essential characteristic of a well-adjusted person.

6.7.2. Guideline on disciplinary control – Disciplinary control on PDL shall be firm to ensure safety and good order in prison. Breaches of discipline shall be handled objectively, and sanctions shall be executed with firmness and justice.

6.7.3. Due process accorded to PDL – Every breach of discipline shall be reported to proper prison authorities. The erring PDL shall be given due process before he is punished. Ignorance of prison rules shall not be countenanced or considered an excuse for its non-observance.

6.7.4. Prohibited acts – the following acts shall subject the PDL to disciplinary action:


6.7.4.1. Participation in illegal sexual acts or placing himself in situations or behavior that will encourage the commission of illegal sexual acts;

6.7.4.2. Openly or publicly displaying photographs, pictures, drawing, or other pictorial representations of persons engaged in sexual acts, actual or simulated, masturbation, excretory functions or lewd or obscene exhibitions of genitals;

6.7.4.3. Possessing articles which pose a threat to prison security or to the safety and well-being of PDL and staff;


6.7.4.4. Giving gifts, selling or engaging in barter with prison personnel;

6.7.4.5. Maligning or insulting any religious belief or group;

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- 6.7.4.6.** Rendering personal services to or requiring personal services from fellow PDL;
- 6.7.4.7.** Gambling;
- 6.7.4.8.** Exchanging his uniform with another PDL or wearing a uniform other than those officially issued to him;
- 6.7.4.9.** Using profane, vulgar or obscene language or making loud or unusual noise of any kind;
- 6.7.4.10.** Loitering in the prison compound or reservation;
- 6.7.4.11.** Giving a gift or providing materials or other assistance to fellow PDL or to the prison administration in general;
- 6.7.4.12.** Engaging in any private work for the benefit of a prison officer or employee;
- 6.7.4.13.** Controlling the activities of other PDL except in organizations or groups recognized by prison authorities;
- 6.7.4.14.** Tattooing himself or allowing himself to be tattooed on any part of his body. The removal or alteration of tattoos may only be performed by a prison medical officer upon prior approval by the Superintendent.
- 6.7.4.15.** Disobeying legal orders of prison authorities promptly and courteously;
- 6.7.4.16.** Threatening, orally or in writing, the life of any employees or prison official;
- 6.7.4.17.** Possessing any communication device like cellular phone, telephone, pager or radio transceiver;
- 6.7.4.18.** Constructing, renovating or repairing, with personal funds, a prison building or structure;
- 6.7.4.19.** Making frivolous or groundless complaints; and
- 6.7.4.20.** In general, displaying any behavior which might lead to disorder or violence, or such other actions that may endanger the facility, the outside community or others.

6.8. Movement (Part 2 Chapter 5 Section 1-6, Chapter 6 Section 1-9, Book 2 Part V Section 1-14 BuCor Operating Manual)

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6.8.1. Transfer of PDL

6.8.1.1. Transfer of PDL to another prison – a PDL may be transferred by the Director upon the recommendation of the Superintendent concerned to another prison facility to bring said PDL closer to his family or as part of his rehabilitation program

6.8.1.2. Transfer of insane PDL – PDL who has been confirmed to be mentally abnormal or insane may be transferred to a mental hospital with the approval of the Director.

6.8.1.3. Transfer of PDL to a stockade of the Armed Forces of the Philippines – the confinement of the PDL may be transferred to an AFP stockade provided, that the PDL is certified as minimum security risk and does not belong to any of the following categories:

6.8.1.3.1. PDL serving a life term or sentenced to death;

6.8.1.3.2. PDL with previous record of escape;

6.8.1.3.3. Recidivist;

6.8.1.3.4. PDL serving sentence for a crime involving moral turpitude;

6.8.1.3.5. Female PDL;


6.8.1.3.6. PDL who had previously been transferred to an AFP stockade and was returned to prison for cause;

6.8.1.3.7. PDL who is more than fifty (50) years old or who can no longer perform manual work;

6.8.1.3.8. PDL who is a permanent resident of a place within a radius of one hundred (100) kilometers from the stockade where he is being transferred; or

6.8.1.3.9. PDL with a pending case or who is a witness in any pending criminal case.

6.8.1.4. Transfer of PDL not eligible to be a colonist to a prison and penal farm – upon recommendation of the Classification Board, the Director may also

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transfer to a prison and penal farm a PDL who, although not eligible for classification as a colonist, is:

6.8.1.4.1. Physically and psychologically fit to absorb the rehabilitative program in the colony, or

6.8.1.4.2. That such PDL is the therapeutically indicated.

6.8.1.5. Transfer to a provincial jail and vice versa – The President of the Philippines may direct, as the occasion may require, the transfer of PDL from a national prison to a provincial jail, or vice versa. The expense for such transfers shall be borne by the Bureau except the cost of escort service which shall be provided by the Philippine National Police.

6.8.1.6. Mental and physical examination of PDL to be transferred – the PDL shall be given a mental and physical examination prior to his transfer.

6.8.2. Outside Movement of PDL


6.8.2.1. Movement of PDL outside confinement facility – the Superintendent of a prison may authorize a PDL to be taken out of prison in the following instances:

6.8.2.1.1. To appear in court or other government agency as directed by competent authority;

6.8.2.1.2. For medical examination/treatment or hospitalization in an outside clinic or hospital; or

6.8.2.1.3. To view the remains of a deceased relative.

6.8.2.2. Approval by the Secretary of outside movement – the prior approval of the Secretary shall be required for the outside movement of an NBP or CIW PDL as provided in paragraphs b. and c. above.

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6.8.2.3. Outside movement of death convict – a death convict shall not be allowed to leave his place of confinement except for the urgent treatment or diagnosis of a life-threatening or serious ailment, if the diagnosis is cannot be done or the treatment provided in the prison hospital.

6.8.2.4. Basis of Court appearance – the court appearance of an PDL shall be based on a subpoena issued by the court as endorsed by the Director.


6.8.2.5. Court appearance of life term or death convict – no PDL sentenced to death or life imprisonment confined in the NBP shall be brought outside said prison for appearance or attendance in any court except when the Supreme Court authorizes the presiding judge of the court, upon proper application, to take in effect the said transfer of said PDL. The NBP Superintendent shall request the judge in Metro Manila and in the provinces of Rizal, Bulacan, Cavite and Laguna who requires the appearance or attendance in any judicial proceeding of an NBP death convict or life term to conduct such proceeding within the premises of the said prison.

6.8.2.6. Application to view the remains of deceased relative; supporting documents – a minimum or medium security PDL may, upon written application, be allowed by the Superintendent to view the remains of the following relatives upon written application and submission of the original or certified true copies of the death certificate, the burial permit and the documents specified hereunder;

6.8.2.6.1. Wife or husband (marriage certificate);

6.8.2.6.2. Child (birth certificate of child and marriage certificate of the PDL);

6.8.2.6.3. Brother/sister (birth certificate of brother/sister and birth certificate of the PDL);

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6.8.2.6.4. Father/mother (birth certificate of the PDL);

6.8.2.6.5. Grandchild (birth certificate of grandchild and of the latter's parent who may be son or daughter of the PDL); and


6.8.2.6.6. Grandparent (birth certificate of the PDL and of his/her parent who is the son/daughter of the deceased grandparent).

6.8.2.7. When to file application – the application to view the remains of the deceased relative and all his supporting documents shall be filed with the Superintendent at least two (2) days before the enjoyment of the privilege sought.

In case of an NBP or CIW PDL, the application and its supporting documents, together with the prison record of the PDL and the favourable recommendation of the Superintendent thereof and the Director shall be forwarded to the Secretary for final action at least one (1) working day before the privilege is to be enjoyed.

6.8.2.8. Duration of privilege – the PDL may be allowed, more or less, three (3) hours to view the deceased relative in the place where the remains lie in state but shall not be allowed to pass any other place in transit, or to join the funeral cortege.

6.8.2.9. Distance of travel – the privilege may be enjoyed only if the deceased relative is in a place within the radius of thirty (30) kilometres by road from the prison. Where the distance is more than thirty (30) kilometres, the privilege may be extended if the PDL can leave and return to his place of confinement during the daylight hours of the same day.

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6.8.3. Escort Procedures

6.8.3.1. Primary duties of escort guards – escort guards shall exercise extreme caution at all times and shall see to it that the PDL does not:

6.8.3.1.1. Escape;

6.8.3.1.2. Converse with unauthorized persons;

6.8.3.1.3. Obtain forbidden articles, especially intoxicants or weapons;

6.8.3.1.4. Annoy passer-by; and

6.8.3.1.5. Suffer harm or humiliation.


6.8.3.2. Distance of guard from PDL – if escorting a group of PDL, a guard shall keep a distance of not less than ten (10) paces from his charge. Upon arrival at the destination, he shall station himself at a vantage point where all PDL are within sight and can be properly controlled.

When on board a ship or boat, the group of PDL shall be positioned in the most secure part of the vessel and shall be required to sit down. The guard shall station himself at strategic points where he can effectively respond. A PDL shall not be allowed to stand up or move about until the vessel is ready to dock, except when the guard needs to have a clear view of the port and starboard passages.

6.8.3.3. Basic escort procedures – an escort guard shall strictly observe the instructions written at the back of the PDL's pass and the purpose and destination of the escort mission. These include, but not limited, to the following:

6.8.3.3.1. While in transit, the PDL shall not be allowed to stop at any place or contact any person until the destination is reached;

6.8.3.3.2. The PDL shall at all times be placed under proper restraint e.g. handcuffs. However, the same shall be removed when the PDL enters the courtroom;

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6.8.3.3.3. The PDL shall be returned to the prison facility immediately after the purpose of the pass has been served; and

6.8.3.3.4. The use of a privately-owned vehicle in transporting a PDL is prohibited.


6.8.3.4. Escort procedures for court appearance – in escort duties for court hearing, the Superintendent shall provide at least two (2) guards for every PDL. However, when two or more PDL are to be escorted, the number of guards may be reduced proportionally without sacrificing security requirements. If a PDL is notorious or has a previous record of escape, additional escort guards shall be assigned.

6.8.3.5. Appearance in Metro Manila Courts – in conducting NBP or CIW PDL for appearance in Metro Manila courts, the escort detail shall be headed by a supervising guard or by a senior officer. If the court concerned is in the suburbs of Metro Manila e.g., Cavite, Bulacan, Rizal, Laguna and Batangas, the escorts shall return their wards to the NBP or CIW immediately after the hearing.

6.8.3.6. Turnover of PDL to local jail – a guard assigned to escort a PDL for court hearings who cannot return to the prison of origin on the same day shall request the court to issue an order turning over the PDL to the nearest provincial/city jail or police detention cell. The escort guard shall not stay in a private dwelling or hotel with the PDL.

6.8.3.7. Acknowledgment of turnover of PDL – upon turning the PDL over to an authorized officer at the destination, the escort-in-charge shall secure an acknowledgment receipt for the custody of the PDL. This shall clearly bear the name of the receiving officer, his designation and the date and time the PDL was received.

6.8.3.8. Postponement/resetting of hearing – after the hearing or if the scheduled hearing is postponed/reset to another date, the PDL shall be

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returned to the prison of origin without delay. If feasible, the escort-in-charge shall secure from the court an order committing the PDL to the provincial/city jail or other detention center.

6.8.3.9. Procedure if escort guard becomes sick – if the escort guard becomes sick, he shall notify the Superintendent of the prison of origin thereof by the fastest means available so that a replacement can be sent to continue the mission.

6.8.3.10. Fake or spurious subpoena – if the subpoena received by the prison turns out to be spurious, or if, in spite of a valid subpoena, the scheduled trial is not held, the PDL shall be immediately returned to the prison of origin. The escort-in-charge shall submit a written report to the Superintendent on the matter.

6.8.3.11. Certificate of appearance – Immediately after the trial but before leaving the court premises, the escort-in-charge shall secure from the clerk of court a certificate or other proof of appearance.


6.8.3.12. Procedure during outside movement of PDL – the following security procedures shall be observed during the outside movement of a PDL:

6.8.3.12.1. Before departure from prison.

6.8.3.12.1.1. The written mission order issued by the Superintendent, the mittimus and other prison records of the PDL shall be given to the escort guards. In case of a detainee, the records shall include the written authorization of the appellate or sentencing court for the outside movement of the detainee.

6.8.3.12.1.2. Whenever possible, the transfer shall be taken in effect during the daylight hours.

6.8.3.12.1.3. The escort guards shall be given detailed instructions on their

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duties and responsibilities, to include the instruction that they use the most direct travel route to their authorized destination.


6.8.3.12.1.4. The PDL shall be thoroughly searched for contraband or deadly weapons or objects which may be used for escape or self-destruction.

6.8.3.12.1.5. Money found in the possession of the PDL shall be confiscated by the Desk Officer who shall issue a receipt thereof and who shall return the money to the PDL upon his return. If the PDL is to be confined and needs money for medicines and food, the money therefore shall be turned over under receipt to the escort guard. All disbursements made by the escort guard shall be properly receipted for.

6.8.3.12.1.6. The PDL shall be placed in handcuffs or other instrument of restraint. If there is more than one PDL to be transferred, they shall be grouped in pairs and securely connected to one another by a rope, ascertaining that the PDL does not have crippled deformed or very small hands to allow him to slip the handcuffs off.

6.8.3.12.1.7. Handcuffs shall be properly adjusted for tightness before departure to avoid the need of adjusting the same while on transit.


6.8.3.12.1.8. The PDL shall stay inside the prison premises until the vehicle to be used in transporting him is

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ready for boarding. The PDL shall board a motor vehicle ahead of the guard.

6.8.3.12.2. In Transit

- 6.8.3.12.2.1.** The handcuffs or instruments of restraint shall not be removed while the PDL is in transit. A PDL shall not be handcuffed to any part of the vehicle during transit to avoid his being trapped in case of vehicular accident.
- 6.8.3.12.2.2.** If it is necessary to board public transportation such as ship or airplane, the guards shall position themselves with their PDL in an area that is cleared of civilians, or if not possible, shall sit/position themselves between the civilians and the PDL.
- 6.8.3.12.2.3.** All PDL being escorted shall be under the supervision of a guard at all times, including going to the toilet or washroom. The guard shall always be close enough to the PDL to respond to any untoward incident.
- 6.8.3.12.2.4.** If there is more than one PDL being escorted, there shall be a headcount of the PDL every turn-over of guarding shifts.
- 6.8.3.12.2.5.** A PDL shall not be allowed to tinker with his handcuffs or other instrument of restraint.
- 6.8.3.12.2.6.** A guard shall always walk behind and not in front of the PDL being escorted.
- 6.8.3.12.2.7.** If armed, the guard shall not sit, stand or walk beside PDL, or in

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any case allow the PDL to reach his firearms.

6.8.3.12.2.8. The guard shall not pass any unauthorized place while in transit.


6.8.3.12.3. Arrival at Destination

6.8.3.12.3.1. Upon arrival at the authorized destination, the guards and their PDL shall stay in the public transportation until the same is cleared of the other passengers. They shall only disembark after the PDL and his personal belongings have been searched or inspected and the transportation that will bring them finally to their final destination is ready for boarding.

6.8.3.12.3.2. The handcuffs or instrument of restraint may be removed at the authorized destination if there is no danger of escape.

6.8.3.12.3.3. The guard shall return the PDL to the prison of origin as soon as the purpose of the outside movement has been served.

6.8.3.12.3.4. After-Mission Report – after completing the mission, the leader of the guard detail shall submit a written report to the Superintendent, together with copies of the transmittal letter and certificate of appearance. In case a PDL being transferred to another prison or jail institution or competent authority, the responsibility for said PDL shall remain with the custodian until formally received by another custodian.

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6.8.3.13. Other Security Procedure – the following security procedures shall also be observed in case of PDL subject of a medical referral or who is allowed to view the remains of a deceased relative:

6.8.3.13.1. Medical Referrals


6.8.3.13.1.1. The PDL who is brought to an outside hospital for medical treatment/examination shall be provided with at least two (2) escort guards and returned to the prison of origin during the daylight hours after treatment is completed. Upon said return, the Department shall be furnished copies of the PDL's medical certificate, diagnostics and plan of management;

6.8.3.13.1.2. If the PDL is to be confined in a hospital, the PDL may be handcuffed to the bed if he is ambulatory and there is a risk that he may escape;

6.8.3.13.2. Viewing the Remains

6.8.3.13.2.1. The PDL shall not be allowed more than three (3) hours from the time of arrival at the wake to the time of departure from the place where the remains lie in state; and

6.8.3.13.2.2. The remains to be viewed must be in a place within the radius of thirty (30) kilometres from the place of confinement. Where the distance is more than thirty (30) kilometres, the privilege may be enjoyed if the PDL can leave and return to his place of confinement during the daylight hours of the same day.

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6.9. Discharge (Part 6 Section 1-13 BuCor Operating Manual)

6.9.1. Basis of release of PDL – PDL may be released from prison:

- 6.9.1.1.** Upon the expiration of his sentence;
- 6.9.1.2.** By order of the court or of competent authority; or
- 6.9.1.3.** After being granted parole, pardon, amnesty.

6.9.2. Who may authorize release – the following are authorized to order or approve the release of PDL:


- 6.9.2.1.** The Supreme court or lower courts, in cases of acquittal or grant of bail;
- 6.9.2.2.** The President of the Philippines, in cases of executive clemency or amnesty;
- 6.9.2.3.** The Board of Pardons and Parole, in parole cases; and
- 6.9.2.4.** The Director, upon the expiration of sentence of the PDL.

6.9.3. Approval of release by the Director – PDL shall only be released by the Superintendent with the approval of the Director.

6.9.4. Verification of identity of PDL to be released – before PDL is released, he shall be properly identified. His fingerprints and other identification marks shall be verified with those which were taken when he was admitted in prison and change in his distinguishing marks since admission.


6.9.5. Documentary basis for release – PDL shall not be released on the basis of authority relayed through telegram or telephone. PDL to be released by reason of acquittal, dismissal of the case, the filing of bond or payment of indemnity shall only be released upon receipt by the Superintendent of a written order bearing the seal of the court and duly signed by the Clerk of Court or by the judge thereof. The release order shall bear the full name of PDL, the crime charged, the number of the case, and such other details as will enable the releasing officer to properly identify the PDL to be released.

6.9.6. Prompt release of PDL – A PDL shall be released without delay. However, before releasing the PDL who is suffering from a communicable disease or mental derangement, and

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who cannot defray the expenses of his treatment, the Superintendent shall take the necessary steps to arrange for the follow-up treatment of the PDL in an appropriate government institution.

- 6.9.7. Release of Foreign National** – the Director shall notify the Commissioner of Immigration of the release of the PDL who is a foreign national. At least thirty (30) days before the approximate date of release, the Director shall furnish the Commissioner of Immigration with certified copies of the Court decision in the case of the alien PDL, a synopsis of his prison record, and the expected date of release.
- 6.9.8. Release of PDL with pending case** – if the PDL to be released has a pending criminal case, the Director shall inform the court where the case is pending of the PDL's discharge from the prison at least thirty (30) days before the actual date of release. In the proper case, the Director shall turn over the PDL to the proper court where the PDL has a pending criminal case for disposition.
- 6.9.9. Prohibited release of PDL before and after election** – the Director shall not order or allow the PDL to leave the prison sixty (60) days before and thirty (30) days after an election except for valid or legal reasons.
- 6.9.10. Separation and Placement Center** – A PDL shall, thirty (30) days before his scheduled date of release, be transferred to the Separation and Placement Center to prepare him for re-entry into free society, provided he is not under punishment or an escape risk, and is cleared of his government property accountability.
- 6.9.11. Pre-release seminar** – all PDL eligible for release shall undergo a one-day seminar in preparation for his life outside prison.
- 6.9.12. Assistance to PDL to be released** – upon release of the PDL he shall be supplied by the Bureau with transportation to his home, including a gratuity to cover the probable cost of subsistence en route, and if necessary, a suit of clothes.
- 6.9.13. Transmittal of carpeta and prison records** – in executive clemency and parole cases, the Director shall forward the carpeta and prison record of the PDL to the Board within the following periods:

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- 6.9.13.1.** For commutation of sentence – at least one (1) month before the expiration of one-third (1/3) of the minimum period of the PDL's indeterminate sentence and in special cases, at least one (1) month before the periods specified by the Board;
- 6.9.13.2.** For conditional pardon – at least one (1) month before the expiration of one-half (1/2) of the minimum period of the PDL's indeterminate sentence and in special cases, at least one (1) month before the periods as the board may specify; and
- 6.9.13.3.** For parole – at least one (1) month before the expiry date of his minimum sentence.